BENGAL SECRETARIAT LIBRARY

REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES,

DURING THE YEAR

1870.

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Proceedings of the Hon'ble the Lieutenant-Governor in the Judicial Department, No 1251, dated 31st August 1871.

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No 1,015.

FROM

THE OFFICIATING REGISTRAR,
CHIEF COURT OF THE PUNJAB,

To

LEPEL H. GRIFFIN, ESQUIRE,
OFFICIATING SECRETARY TO GOVERNMENT, PUNJAB.

Dated LAHORE, ~~14~~ *June* 1871.

SIR,

Chief Court of the Punjab
CRIMINAL DEPARTMENT.
PRESENT —
C BOULNOIS, ESQR., } Judges.
R LINDSAY, ESQR., }
J S CAMPBELL, ESQR., }

I have the honor, by direction of the Judges of the Chief Court, to submit the Annual Report on the Administration of Criminal Justice in the Punjab for the year 1870, together with a set of Statistical Returns.

2. The returns called for from the Subordinate Courts have been modified so as to meet the requirements of the forms suggested by the Statistical Committee and the High Court of Calcutta, and approved of by the Government of India, a set of which was received under cover of Government No. 2,068 of 22nd November last. The result has been a considerable condensation and simplification of the tables formerly submitted to the Court, which, in future years, will save a certain amount of labor to the Subordinate Courts in the maintenance of registers, and the compilation of returns.

3. But the forms prescribed by Government were chiefly drawn up with a view to the exhibition of those results which were specially useful and interesting in an administrative point of view and to the legislature. They are not sufficiently detailed and comprehensive to supply all the information which the Judges feel it necessary to have for the purposes of supervision and control of Subordinate Courts. The forms supplied to these Courts, therefore, for submission with the Annual Reports, while they embraced all that was required for the compilation of the returns in the shape required by Government, were so framed as to include many details which are chiefly of

use to the Judges for the purposes of superintendence and control of the Subordinate Courts. The statements thus submitted have been compiled in this office, and form the basis of this report; but it has been deemed unnecessary to print them in full, and the Imperial Returns only are therefore appended, and Statement No. I of the ordinary series, which is of special importance.

4. On this occasion it has been considered sufficient to embody in the general report the passages of special interest or importance contained in the local reports, instead of printing them in extenso.

A.—MAGISTRATES' COURTS.

Offences reported.

5. The total number of offences reported during the year was 73,224, as compared with 75,325 in 1869, being a decrease of 2,101 or 2·7 per cent. On comparison, however, with the number reported in 1868, there appears an increase of 5 per cent.

Reported offences struck off.

6. It was intimated in last year's report that the Court had, in accordance with the wishes of His Honor the Lieutenant Governor, drawn the special attention of Magistrates to the necessity for exercising discretion in striking off cases from the register of reported offences, on the ground that no offence had really been committed. The action taken has produced favorable results. The proportion of cases struck off was, in 1869, 7 per cent: during the year under report it is 3 per cent. only.

7. Magistrates appear to be alive to the necessity for exercising caution in dealing with these cases, but in some Districts the proportion of cases struck off is still very high: thus in Jehlam and in Sháhpúr 10 per cent. of reported cases were struck off. The increased care exercised by Magistrates in this matter may be illustrated by the statistics of the Dilhí District. In 1868, the Deputy Commissioner reports, 81 cases were struck off, in 1869, 42, and in 1870 only 17. This officer proposes, in order to secure additional attention on the part of the police to this subject, to decline to receive any application for the cancellation of a report of crime unless accompanied by a memo. in English, stating briefly the grounds on which the application is made. The Commissioner of Lahore thinks it would be better to allow the few false reports to remain on the register, than to countenance a system which in practice he thinks often leads to very extensive falsification of returns. The Judges are of opinion that the precautions now taken are sufficient, and that the matter may safely be left to the discretion of Magistrates.

8. An increase of 3 5 per cent is perceptible in the number of cases brought to trial, as compared with the number of offences reported. The proportion is 51 per cent. for non-bailable offences, and 96 per cent. for bailable offences. The largest proportion of non-bailable offences brought to trial occurred in the frontier Districts of Dehra Ismaíl Khán (74 per cent.) and Derah Ghází Khán (72 per cent.); in Muzafargarh (65 per cent.); Gúrdáspúr (65 per cent.); Hissár (62 per cent.); Húshiárpúr (61 per cent.); Montgomery (60 per cent). In Jehlam and Gújrát on the other hand the proportion was as low as 35 per cent. and 36 per cent.

Cases brought to trial

Only 1,491 persons are shown to have been arrested by the police and subsequently discharged without being brought before the Magistrate—that is, 98 persons out of every 100 arrested by the police were sent up for trial, a result which, if it could be implicitly accepted as correct, would be satisfactory; but there is reason to fear that all arrests are not recorded as such, and that suspected persons are sent for and detained pending inquiry, and not shewn as arrested.

9. The number of cases brought to trial in the Magisterial Courts has increased from 54,181 in 1869, to 55,339 in 1870, or by a little more than 2 per cent. The number of persons brought to trial was 118,840, an increase of 4 per cent., as compared with the number for 1869.

10. It is satisfactory to report a considerable diminution of serious (non-bailable) crime during the year under review, as compared with the previous year. The decrease is 9 per cent. for the province, and it is observable in 22 districts; the number of such offences however is still higher than it was in 1868, and much higher than in 1867. The decrease, which appears to have chiefly occurred in offences against property, is clearly attributable in the main to the relief afforded by the improved season. The decrease in Sháhpúr of 15 per cent. is attributed to the imposition of punitive police posts.

General decrease in Non-bailable offences

11. An increase in the number of non-bailable offences is however observable in 10 Districts. It was largest in the Districts of :—

Increase of Non-bailable offences in certain Districts

	1869.	*1870.*	*Increase.*
Jhang,	397	533	34 per cent.
Múltán,	628	773	23 „
Syalkot,	590	680	15 „
D. Ismail Khán,	529	612	15 „

12. The increase of serious crime in Syalkot is not noticed by the Deputy Commissioner in his report.

13. In Dehra Ismaíl Khán the increase is stated by the Deputy Commissioner to be chiefly under the head of "thefts," and he assigns as its causes the general distress among the poorer classes, consequent upon a succession of seasons of drought and high prices, which have more than once approximated to famine rates.

14. In Jhang and Múltán the number of offences brought to trial had increased; and the fact that of the offences reported a greater number were brought to trial than in the previous year, is attributed by the local authorities to greater vigilance on the part of the police.

Decrease of Non-bailable offences in certain Districts.

15. A decrease in non-bailable offences is most observable in the Districts of Jehlam (38 per cent.); Rohtak (31 per cent.); Simla (29 per cent.); Húshiárpúr (29 per cent.); Ambála (25 per cent.); Fírozpúr (24 per cent.); Sirsa (22 per cent.); Hazára (22 per cent.).

Classiffcation of Non-bailable offences.

16. Of the 28,311 persons brought to trial for non-bailable offences—

25,446 or 89·8	per cent.	were charged	with	offences against property.
2,172 or 7·6	,,	ditto	ditto	affecting the human body.
238 or 0·8	,,	ditto	ditto	relating to coin.
47 or 0·1	,,	ditto	ditto	relating to documents.
38 or 0·1	,,	ditto	ditto	relating to marriage.
21 or 0·07	,,	ditto	ditto	against public justice.

Offences against property are fewer by 1 per cent. than in the previous year.

Offences affecting the human body have increased by 1·6 per cent.

17. It is remarkable that of the persons disposed of, no less than 86 per cent. of those charged with offences against property were convicted and committed; whilst in offences affecting the human body, only 48 per cent. were convicted and committed.

18. Pesháwar maintains its pre-eminence as the District where murders are most numerous, and 19 more murders were committed in that District in 1870 than in 1869. Of the 92 cases which occurred, 41 were due to quarrels on account of women. In 20 cases, as compared with 7 in the previous year, was the extreme penalty of the law carried out. In 23 cases however no arrests were made, the murderers having every facility of escape on account of the proximity of foreign territory.

19. The Deputy Commissioner of Pesháwar, in regard to the repression of homicide, and reference to the invariable practice of relatives to claim the bodies of executed criminals, has a suggestion which the Court considers may be well made the subject of a separate correspondence. His report may be referred to in original on this point.

20. In Banú, murders have slightly decreased, but the Deputy Commissioner thinks that this crime has increased since Commissioner was deprived of the power which he exercised of fining villages when crime was concealed and evidence suppressed. It must however be remarked that the use of the system of punitive police posts has not been sufficiently resorted to in the Dehraját.

21. In Dehra Ismaíl Khán, murders decreased from 14 to 6. In this District a case occurred, in which effect was given to the provisions of the murderous outrage Act (XXIII of 1867). The following account is taken from Colonel Graham's report:—

"Act XXIII of 1867 *(for the suppression of murderous outrages)*, was made applicable to this Division in October 1869: one case occurred during the year under report.

"A private of the 109th Regiment was assaulted and stabbed in the bazaar of Dehra Ismaíl Khan. The assassin was seized by the bystanders; and on enquiry it turned out that he belonged to the Sooltan Kheyl tribe of Povindas. He stated that he was a Ghazee fanatic, and that he had left the hills with the intention of slaying an infidel. He was tried and executed the same day, and the proceedings were forwarded under Section 9 of the Act for the information of Government. This is the second case that has occurred under this Act. Last year a Pathan was executed at Bunnoo for the assassination of a Seikh Sepoy of the 2nd Seikh Infantry."

22. Bailable offences have increased by 8 per cent. The increase occurred in 21, out of the 32 Districts, and was most noticeable in the following:—

Increase of Bailable offences.

Gúrdáspúr	44 per cent.
Fírozpúr	41 „

Ráwal Pindí	35	per cent.
Hazára	29	„
Simla	27	„
Kohát	25	„
Amritsar	24	„
Gúrgáon	23	„
Dilhí	22	„

23. In Gúrdáspúr the increase is nominal, owing to the recent transfer of Battála. The Deputy Commissioners of Gurgáon, Amritsur, Fírozpúr and Hazára Districts, expressly attribute the increase, in part at least, to the diminution of the stamp fee on complaints.

24. In Gurgáon there has been also a large increase of prosecutions under the Income Tax, Nuisances, and Police Act.

25. In Dilhí the increase appears to be chiefly in offences against Municipal bye-laws, newly introduced in 5 large towns of the District.

26. So in Simla, the increase is chiefly observable in offences under the Cantonment and Municipal Laws, which are said to have received more than ordinary attention at the hands of the Magistrates.

27. In Ráwul Pindí, the increase noted would appear to be due to similar causes.

Non-bailable offences in which an increase is observable.

28. As regards the classes of non-bailable offences in which an increase in the numbers is most observable, the tables show that a very large increase has occurred in the commonest offences: thus the number of persons charged with assaults has risen 32 per cent, criminal trespasses 30, and hurt 23 per cent.

29. It was observed in para. 22 of last year's report, that the offences of assault, hurt, and enticing away a married woman, had decreased as compared with 1869. These common offences now all show a considerable increase. How far the reduction of fees on complaints may have brought about this result it is difficult to say; but there appears some tendency in a good agricultural season towards an increase in bailable offences, corresponding with its well marked effect in reducing the number of non-bailable offences.

30. Offences relating to Forests have suddenly risen from* 10 to 1838. Nearly all the prosecutions were in the Ráwul Pindí and Kángra Districts: in the former 912 persons were prosecuted, and in the latter 907, for mischief to forests by fire.

31. The Deputy Commissioner of Kángra explains that these 907 persons were all punished in one case for not having assisted in stopping a conflagration in certain Government Forests.

32. Under the Police Act and Municipal Acts a much larger number of persons have been punished than in the previous year.

33. Affrays continue steadily to decrease. The number of persons brought to trial for this offence in 1870 was 25 per cent. fewer than in 1869. Too much stress however must not be placed on this fact, as the line between assaults and affrays is not very distinct: the two classes must be considered together. It has been noticed above that assaults have increased. It seldom occurs that a formal complaint is made regarding an affray. It is possible that many cases formerly classed as "affrays," are treated as counter-complaints of assault.

Non-bailable offences in which a decrease is observable.

34. The number of persons prosecuted under the Stamp Act was 1,266 in 1869, 737 in 1870. One officer attributes a decrease in this head to the fact that the provisions of the new Stamp Act are much more simple and intelligible, tending to make mistakes and omissions fewer.

35. As regards the effect of the diminution of the Court fee on complaints, a majority of officers are of opinion that the lowering of the stamp charged has not resulted in increasing the number of institutions, or are unable to detect any such result. The Commissioner of Dilhí thinks that in retaining the heavier fee, "a revenue could be raised by a tax on anger, without refusing justice to the injured." Several officers however have ascribed an increase of institutions to the reduced fee.

Effect of reduced fee on petty complaints.

36. It appears doubtful whether Courts bear in mind the provision of Section 31 of the Court Fees' Act, which provides for the recovery and refund to complainant of the value of stamp on conviction.

37. The return showing the agency by which the criminal work was performed, shows that the proportion of cases disposed of by Native Magistrates has increased from 61 to 66 per cent.;

Agency.

* Number of persons.

the proportion of the work performed by Magistrates of full powers (including Deputy Commissioner's exercising enhanced powers) has fallen from 51 to 44 per cent. The increasing pressure of miscellaneous duties on all European Officers is probably the reason for this. Each European Magistrate decided on an average 115 cases, and each Native Magistrate 94 cases. The proportion of the work done by unpaid Magistrates was 11 per cent., the same as reported for 1869.

38. A great falling off is observable in the number of cases disposed of by Deputy Commissioners under their extended powers. Such cases were in 1869 766 in number, and in 1870 517. This is of course to some extent explained by the falling off in the number of non-bailable cases as shown in para. 15, but it is also owing to a number of officers being newly appointed to the charge of Districts, and to their not being invested with enhanced powers for some time. It will be seen further on that the number of sessions cases tried by Commissioners has increased.

39. The largest number of cases disposed of by Deputy Commissioners with enhanced powers, occurred in the following districts :—

	1870.	*1869.*
Amritsar, ...	48 ...	79
Gúrgáon, ...	32 ...	28
Lahore, ...	28 ...	9
Hazára, ...	26 ...	29
Fírozpúr, ...	24 ...	50
Ráwal Pindí, ...	23 ...	44

The Deputy Commissioner Amritsar attributes the diminution in such cases to the improved season. In Ráwal Pindí the falling of is explained by the officer who acted as Deputy Commissioner for nearly half the year not having been invested with powers.

40. To enable the Deputy Commissioner of Lahore to take up such cases, which from press of work he had not been able to do in the previous year, the Assistant Commissioner of Kusúr was invested with powers to hear appeals from the civil decisions of the Tahsíldars of Kusúr and Chunían, and the then senior Assistant Commissioner at the Sudder with powers of a Deputy Commissioner to decide civil suits without limit as to amount. The result has been that the Deputy Commissioner has been able to decide 28 such cases this year, to 9 only tried by his predecessor during 1869.

Assessors.

41. Out of 397 cases tried with the aid of assessors, Deputy Commissioners concurred with their opinion in 370 cases, and differed in 27 only; and in 23 Districts the Deputy Commissioners never differed with the assessors in any one case. The attention of Deputy Commissioners has been called to the necessity for a periodical revision of the list of assessors, a requirement of the law which it is to be feared has in past years not always been properly fulfilled.

Rohtak (238.)
Multan (224.)
Jhang (216.)
Ludhiána (201.)

42. The return shows that among the Magistrates of Districts, Deputy Commissioners of the Districts marginally noted took up the largest number of cases.

Honorary Magistrates.

43. The following table shows the amount of work performed by the Boards of Honorary Magistrates in the various Districts:—

DISTRICTS.	*In 1869.*			*In 1870.*		
	No. of cases disposed of by all Courts in the District.	No. of cases disposed of by the Board.	Per-centage of work performed by the Board.	No. of cases disposed of by all Courts in the District.	No. of cases disposed of by the Board.	Per-centage of cases disposed of by the Board.
Dihlí, ..	1,609	508	31	1,699	403	23
Jálandhar, ...	2,179	152	7	2,023	104	5
Amritsar, ...	3,990	783	19	4,288	922	21
Gúrdáspúr, ...	2,067	83	4	2,845	497	17
Syalkot, ...	2,328	45	2	2,696	86	3
Lahore, ..	3,978	711	17	2,833	599	21
Gújranwála, ...	1,476	129	8	1,324	127	9
Dehra Ismaíl Khan, ...	1,266	38	3	1,337	41	3

From the above it will be seen that while the proportion of work done by the Board in the Dihlí District has decreased by 8 per cent., that of Amritsar and Lahore has slightly increased. The increase in Gúrdáspúr is attributable to the fact that the Board had been but in existence only a short period in 1869.

44. The Boards of City Magistrates are in general favorably reported on by such officers as have noted the subject; but the Commissioner of Dihlí considers the Honorary Magistrates at Panípat to be useless. In what particular they fail is not mentioned.

45. Dr. Penny, Honorary Magistrate of Dihlí City, disposed of 387 cases; the Board disposed of 403 cases.

Jagírdar Magistrates.

46. The number of cases disposed of by Jagírdar Magistrates was somewhat less than in the previous year. The figures for both years are noted below :—

	1869.	*1870.*	*Decrease.*
Number of cases	2572	2469	103

About one-fifth of the total number were decided by the Jagírdar Magistrates Sirdar Shumsher Sing, Sirdar Ajet Sing, and Sirdar Sadho Sing, in Amritsur District.

47. On the frontier the voluntary services of the Nawab of Tank, Emam Bukhsh Khan, Muzari, and other Honorary Magistrates, prove a valuable assistance to the judicial staff of the District.

The Deputy Commissioner of Dehra Ghazí Khan writes—

"Belooch Chiefs can safely be trusted with Magisterial powers over their own people. Nothing could prove this more strongly than a visit to the country inhabited by these tribes. As a rule, the people are happy and contented, and heinous crimes, except on account of adultery and such like, are almost unknown."

Honorary Magistrates.

48. The number of cases disposed of by Canal, Customs, and Forest Officers, is shown in the subjoined comparative table :—

	1869.	*1870.*	*Decrease.*
Canal Officers	546	401	145
Customs Officers	22	12	10
Forest Officers	2	2	

Departmental Magistrates.

49. The inefficiency of the Courts of Canal Magistrates has for some years past formed the subject of comment in the Court's Annual Reports. His Honor the Lieutenant Governor was pleased to issue departmental instructions on the matter, and the Judges have aimed at effecting some improvement in these tribunals. The attention of

officers was specially drawn to His Honor's remarks in the proceedings of Government in the Annual Report submitted last year.

50. The Judges are now able to report a somewhat more satisfactory state of matters. Returns and files are now submitted to the Magistrate of the District with more regularity; and in some Districts the character of the work of these officers is said to have improved. Thus, the Deputy Commissioner of Ambála, who last year brought a number of irregularities practiced in these Courts to notice, now reports that the Canal Magistrates conform to orders, and that there is no longer any cause of complaint.

51. The reports of the Deputy Commissioners of Amritsar and Múltán, two districts in which a large number of cases are heard by Canal Magistrates, show that these officers have taken pains to bring their procedure within the limits of the law.

52. At the same time there remains a great deal of irregularity to be corrected. In speaking of Canal Magistrates, one Deputy Commissioner says—"They arrest without warrant or summons both accused persons and witnesses"; another notes that they try cases over which they have no jurisdiction; a third, that the cases which come before him were badly done; while the Commissioner of Dihlí found that "the Canal Officers fined people without seeing them or confronting them with their accusers, and then sent the records into the Canal Office, instead of into the Deputy Commissioner's." An instance of such illegality has come before the Court on the revision side.

53. Customs Officers decided but few cases. The Deputy Commissioner of Sháhpúr reports that the files of Customs Magistrates are carefully inspected, and that they evinced careful procedure.

54. Forest Officers are shown to have disposed of only two cases magisterially. Most offences against forest laws are tried by the District Courts.

55. The returns show that 47 cases were disposed of by Officers in charge of Jails; 45 of which were decided by the officer in charge of the Jálandhar Jail. In other Districts, jail offences are probably included in the returns of Magistrates, and not shown as disposed of by Officers in charge of Jails.

56. The average duration of cases was 7 days, or one day less than in the previous year. The average was rather high in the following Districts:—Jehlam (18 days); Amritsar (16 days); Gújránwála, Jhang, Muzafargarh and Hazára (12 days); Kángra and Sháhpúr (11 days). On the subject of the average duration of 12 days in the Jhang District, the Commissioner of Mooltan has recorded the following remarks:—

Average duration of cases.

"The average duration is largest in Jhang, resulting, as I have shown, in much better enquiries. I think this average, especially in criminal cases, most dangerous. Many a man goes to prison for two years because the Magistrate does not like to subject him to the hardship of being a week longer under trial, and considering what loss, inconvenience, and trouble is often caused by delay in civil cases, I do not agree with the Deputy Commissioner Jhang in the great importance of putting aside all other work to reduce the average in criminal cases. They certainly are not hurried in this way in any civilised country. The complaint always made is, that 'the Judge would not hear me or send for all my witnesses,' and this can only be because of the fear of his average."

57. It is absolutely necessary for statistical purposes, and for the purposes of superintendence and control, to know at what rate cases are decided in the various Courts. At the same time, the Judges concur with Mr. Brandreth in thinking that undue stress should not be placed on low averages. If an unusually high average is shewn to be due to any particular case or class of cases, these cases should be excluded from the calculation, and should be separately reported on.

58. There were 637 cases, involving 1,254 persons, pending at the close of the year. Only 15 cases had been pending more than 2 months. Explanations as to the cause of delay in these cases have been submitted, and are, for the most part, satisfactory.

Pending cases.

59. The Deputy Commissioner of Syalkot reports that there were only 23 cases pending, the oldest of which had been instituted on the 23rd December, or on the last working day of the year.

60. The following table shows the per-centage of commitments and convictions, in Bailable and Non-bailable offences, the districts being entered in order according to the highest per-centage.

Proportion of committals and convictions, to total offences charged.

Order in 1870.	Order in 1869.	Districts.	Per-centage of persons tried, who have been		
			Committed for, and convicted by Magistrates, of Bailable offences.	Committed for, and convicted by Magistrates, of Non-bailable offences.	Total per cent. committed for, and convicted by Magistrates, of Bailable and Non-bailable offences.
1	1	Simla, ...	78	76	77
2	5	Montgomery, ...	74	77	75
3	4	Gúrgáon, ...	74	67	73
4	3	Hissár, ...	70	73	72
5	9	Rohtak, ...	62	74	69
6	8	Kohát, ...	71	59	68
7	2	Ambála, ...	62	73	65
8	14	Kángra, ...	53	71	64
9	15	Fírozpúr, ...	56	77	63
	22	Ráwal Pindí, ...	53	70	63
11	7	Lahore, ...	59	70	62
	20	Jhang, ...	54	79	62
13	19	Gújránwála, ..	57	81	61
14	21	Pesháwar, ...	65	38	60
15	23	Dihlí, ...	57	60	58
16	11	Húshiárpúr, ...	51	77	57
	13	Sirsa, ...	50	70	57
	12	Banú, ...	59	49	57
	24	Hazara, ...	61	42	57
20	18	Karnál, .	56	56	56
	6	Muzafargarh, ...	49	71	56
22	17	Múltán ...	44	72	55
	29	Dehra Gházi Khán, ...	51	62	55
24	10	Gujrát, ...	46	69	54
25	30	Dehra Ismaíl Khán, ...	45	55	48
26	16	Jehlam, ...	43	70	47
	25	Ludhiána, ...	39	69	47
	28	Jálandhar, ...	41	71	47
	27	Sháhpur, ...	43	68	47
30	32	Gúrdáspúr, ...	31	65	37
31	31	Amritsar, ...	29	62	34
32	26	Syalkot, ...	24	77	32
		Total, ...	52	66	55

Convictions and committals in non-bailable cases.

61. In Non-bailable offences the proportion of convictions and committals was 66 per cent, the same as in the previous year.

62. The following Districts show the highest per-centage of convictions and committals in non-bailable offences:—Gujránwála (81 per cent.); Jhang (79 per cent.) ; Montgomery, Húshiárpúr, Fírozpúr, and Syalkot (77 per cent.). The per-centage was lowest in Banú (49 per cent.); Hazára (42 per cent.); Pesháwur (38 per cent.). In the last named District an improvement is observable when compared with 1869, when only 29 per cent. were convicted. In this District, out of 342 persons prosecuted for lurking house-trespass in order to the committing of theft, only 69 or 20 per cent. were convicted.

Convictions in bailable cases.

63. In Bailable offences the per-centage of convictions has fallen from 55 per cent. in 1869, to 52 per cent. in the year under report.

64. The highest proportion of convictions in bailable offences was obtained in the Districts of Simla (78 per cent.); Montgomery and Gúrgáon (74 per cent.). The per-centage of convictions in such cases was very low in the Districts of Syalkot, Amritsár, Gúrdáspúr and Ludhiána. These small proportions of convictions are apparently to be attributed to the very large proportion of acquittals in cases of hurt and assault.

65. The Deputy Commissioner of Amritsar explains this feature in his returns, by assigning as the cause the reduction of the fee on complaints. The class of persons, he remarks, to whom the difference of 8 annas in an institution stamp is an object, cannot be expected to be other than unscrupulous as to whom they accuse.

66. In Syalkot, the result in question is dependent on the small per-centage of convictions in cases of assault and kindred offences. Out of 3,195 persons brought to trial for such offences, only 13 per cent. were convicted. The Deputy Commissioner attributes the result to the diminution of institution fee on complaints.

67. In Amballa District there is an increase in acquittals and discharges, as compared with the previous year; the proportions being 20 per cent. for 1869, and 37 per cent. in 1870. This result is attributed by the Deputy Commissioner to the want of experience on the part of the officers of the District staff. The proportion of 20 per cent. in acquittals was attained when there were several officers of some standing amongst the Assistant Commissioners attached to the District.

68. Convictions were obtained in cases of assault at a ratio of 21 per cent. only for the province; in cases of hurt 29 per cent. The per-centage of convictions for enticing away a married woman has increased from 14 to 18 per cent. The Deputy Commissioner of Jálandhar remarks that, out of 151 persons brought to trial under Section 498, Indian Penal Code, 133 were acquitted or discharged, leaving 12 per cent. only of convictions.

69. In cases of wrongful confinement and wrongful restraint, the proportion of convictions was 31 per cent.

70. The attention of Magistrates has been drawn to the necessity of a careful examination of complainants before a summons is issued to the accused. In many cases the accused is summoned and acquitted, where the complaint ought to have been dismissed after examination of the complainant under Section 67. If this point were properly attended to, the per-centage of convictions in trials would not be so low as it is now made to appear.

Attendance and examination of witnesses.

71. Altogether 149,661 witnesses attended in the Magisterial Courts during the year, being an average of about 3 witnesses to each case disposed of. This number, when compared with that of the year 1869, shows a decrease of 3 per cent., but an increase of 2 per cent. over 1868. Of the number who attended, 14,849 were examined in the Courts of unpaid Magistrates; 67,241 in that of Local and Subordinate paid Magistrates; 57,181 in that of full powered Magistrates (Assistant Commissioners and Extra Assistant Commissioners); and 10,393 in the Courts of Deputy Commissioners.

72. The largest numbers of witnesses were examined in the Lahore and Amritsar Districts. Of the total number, 136,626, or 91 per cent. are shown as discharged after only one day's attendance; 9,059, or 6 per cent. after two day's attendance; 2,477 or 1·6 per cent. after three days; and 1,502, or 1 per cent., were detained for periods from 4 days to 16 days and upwards.

73. The Districts which have shown, in the returns submitted, the most favorable results, are Dihlí, Rohtak, Simla, Amritsar and Syalkot, where no witnesses remained in attendance more than two days.

74. The following classified table showing the detention in various Districts, shows that there is great room for improvement in the matter.

DISTRICT.	Number of witnesses who were detained for				
	4 days.	5 days.	6 to 8 days.	9 to 15 days.	16 days and upwards.
Karnál, ...	.	1	...	2	...
Hissár, ...	...	10	...	...	...
Sirsa, ...	3	..	...	..	..
Ambálla, ...	12	3	...	..	...
Ludhiána, ...	12	6	...	..	...
Jálandhar, ...	8	...	8	11	...
Kángra, ...	14	6	...	5	4
Gúrdáspúr, ...	31	43	...	...	...
Lahore, ...	157	72	41	25	...
Firozpúr, ...	54	...	...	..	...
Gújránwála, ...	51	...	.	...	...
Ráwal Pindí, ...	49	10	28	28	...
Jehlam, ...	85	21	47	...	...
Gújrát, ...	115	60	12	39	23
Sháhpúr, ...	...	...	6	...	...
Múltán, ...	82	2	10	...	...
Muzafargarh, ...	.	...	1	...	...
Banú, ...	23	...	..	...	...
Dehra Ismaíl Khán, ...	14	...	7	...	...
Dehra Ghází Khán, ...	1	...	...	...	...
Pesháwar, ...	4	...	...	..	...
Hazára, ...	42	18	12	70	...
Kohát, ...	40	20	25	20	...

75. The statement that 91 per cent. of the witnesses summoned by the Courts were kept in attendance only one day cannot be accepted as reliable.

76. The question of the detention of witnesses has formed the subject of much attention on the part of the Judges during the past year. The witness diary is reported by a considerable number of officers to be reliable, or fairly so; but many have candidly expressed their doubts as to its accuracy. There can be no doubt that the witnesses are, in many instances, kept far too long in attendance, and that the detentions are not recorded as they ought to be. A Circular has lately been issued by this Court directing the earnest attention of Magistrates to the very great importance of this subject. New rules for the preparation and test of the diary have been promulgated in Book Circular III of 30th January 1871, which, it is believed, will have the effect of ensuring a much stricter supervision of the diary on the part of all Magistrates.

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Postponement of cases.

77. During the year under report a practice was brought to notice, as existing in at least one District, of the Magistrate systematically postponing to a fixed date cases sent in by the police. The plan is very reprehensible, as it inevitably causes the greatest inconvenience to witnesses sent up with the case from the Police Station. The excuse urged was press of work. The Court alluded to the subject in para. 42 of last year's report, and took measures to check the practice, and enquiries have been made as to what extent it prevails in other Districts of the province. A majority of the District Officers have reported that cases are usually taken up the day they come into Court, but some have admitted that delays in hearing occur. The Judges are well aware of the difficulties which beset officers in attempting to dispose of cases as soon as they are brought up. But much may be attained by a proper management and distribution of the work of the Courts, and this Deputy Commissioners ought to aim at.

Diet money to witnesses.

78. The rates of diet money for witnesses, prescribed by Book Circular XXXIII of 1867, are considered by some officers excessive, but they are pretty generally approved of. Opinions differ however as to whether diet money should be awarded to all witnesses, to those who ask for it only, or to none. It is probable that in no one District have all witnesses been paid at even the minimum rates. Several District Officers complain of a want of Budget provision for expenditure on the necessary scale, and there can be no doubt that the allotment made is not nearly sufficient to cover the heavy payments which would be necessary if diet money were given to all witnesses.

79. Some officers doubt whether native witnesses expect payment of diet money for attending Court.

80. In Ráwal Pindí Division, 770 witnesses, out of 20,509, were paid at the rate of 3 annas 6 pie per head: payment was made to those only who asked for it.

81. The Deputy Commissioner Jehlam reports that the Budget limits the payments to exceptional cases.

82. In Jálandhar Division, Tehseel Magistrates do not pay witnesses.

83. The Commissioner of Múltán states that diet money is not awarded very liberally in the Courts of that Division, and as a general rule does not seem to be expected.

84. The Deputy Commissioner of Lahore states that witnesses are paid, if paid at all, only for the number of days during which they may happen to be in attendance at Court, and not for their journey to and fro.

85. These examples are sufficient to shew the varying opinions which exist on the subject. An opportunity for arriving at some conclusion on the question will arise when rules are framed for this province under the provisions of Section 438, Act VIII of 1869.

Punishments.

Imprisonments.

86. Sentence of imprisonment was passed on 16,486 persons, being nearly the same number as the previous year. The per-centage sentenced to periods varying from six months to 2 years, and to periods above 2 years to 7 years, respectively, was nearly the same in both years. This will appear from the subjoined table :—

Terms of Imprisonment.	*1869.*		*1870.*	
	Number of persons imprisoned.	Per-centage to whole.	Number of persons imprisoned.	Per-centage to whole.
For 15 days and under, ...	1,325	8·1	...	...
Above 15 days and not exceeding 6 months	9,619	58·7	...	...
One month and under, ...	...	...	3,191	19·3
Above 1 month to 6 months, ...	...	...	7,860	47·6
Above 6 months to 2 years, ...	4,952	30·2	4,980	30·2
Above 2 years to 7 years, ...	474	2·9	455	2·7

87. It is not possible (nor is it particularly necessary) to compare the proportions of sentences involving shorter terms than 6 months, because of an alteration in the columns of the return which has this year been made to adapt the form of the punishment statement to that required by Government.

88. Of the persons sentenced to imprisonment, about 5 per cent. only were sentenced to simple imprisonment.

Solitary confinement.

89. Of those sentenced to rigorous imprisonment, somewhat less than one-third were sentenced to solitary confinement also. The proportion of persons sentenced to solitary confinement, as compared with the number sentenced to rigorous imprisonment, was

highest in Karnál and Pesháwar, (55 per cent.), and lowest in Kángra, Amritsar, and Fírozpúr, (9 per cent.), and Dehra Ghází Khán (6 per cent.).

90. The Deputy Commissioner of Jálandhar deplores a falling off in the proportion of sentences in which solitary confinement is awarded as part of the punishment of imprisonment. This result he attributes to the larger number of cases heard by Sub-Magistrates, who have no power to award solitary confinement. The Commissioner recommends an alteration of the law so as to allow of Subordinate Magistrates 1st class passing such a sentence, as a large class of offenders are punished by these officers, in fact the convicts who form the bulk of the prisoners in 3rd class Jails.

91. The Deputy Commissioner of Dihlí thinks that Magistrates in passing sentence often forget to order solitary confinement; but remarks that the omission was immaterial as regards its effect on prisoners sentences in Dihlí, because, owing to the limited number of cells in the jail, the sentence of solitary confinement actually awarded could not be fully carried out.

92. The Deputy Commissioner of Rohtak states that the punishment does not carry its full efficacy in that District, because prisoners confined in solitary cells have the means of conversing with their neighbours.

Persons fined.

93. The number of persons fined is smaller than in 1869, being 50,933, as compared with 51,421. Of these, 78 per cent. were sentenced to fine alone.

94. The following table shows the number of persons sentenced to the various amounts of fine :—

6	persons were sentenced to	fines of	above Rs. 1,000
20	do.	do.,	above Rs. 500 to 1,000
411	do.	do.,	„ 100 to 500
1,080	do.	do.,	„ 50 to 100
14,848	do.	do.,	„ 10 to 50
34,568	do.	do.,	Rs. 10 and under.

Amount of fines imposed and realized.

95. The total amount of fines imposed during the year was Rs. 6,46,875, Rs. 50,783 or more than in the previous year. Of this amount, Rs. 3,54,983, or a little more than 54 per cent. was realized within the year, as compared with 57 per cent. realized in the previous year. The average of fines imposed on each person was Rs. 12-11-2, which is slightly higher than the corresponding average in 1869, when it was Rs. 11-9-5. Considering the poverty of the people generally, and especially of

those classes to which most of the criminals belong, it is a question for consideration whether an average of Rs. 12-11-2 for each fine imposed is not too high. The Court is inclined to think that it is.

96. A sum of Rs. 77,350 was realized on account of previous years. The average of fines imposed on each person was high in the Districts of Hazára (Rs. 29); Kohat (Rs. 22); Pesháwar (Rs. 20); Sirsa, Gújrát, and Jhang (Rs. 19 each); Hissár and Firozpúr (Rs. 18). The average of fines imposed on each person was lowest in Kángra and Simla, Rs. 4 and 6 respectively. These results on the whole are not so satisfactory as could be wished.

97. In the Districts below named the per-centage of fines realized was favorable:—

	Húshiárpŭr,	80 per cent.
	Banú,	80 „
	Jehlam,	74 „
	Simla,	71 „
	Hazára,	70 „
	Kángra,	68 „
It was low in—		
	Sirsa,	31 per cent.
	Dihlí,	32 „
	Gújránwála,	34 „
	Jhang,	35 „
	Gúrdáspúr,	39 „
	Gújrát,	42 „

98. The falling off in Gújrát District, where the proportion realized in the previous year was 92 per cent., is very serious. The Deputy Commissioner has not fully explained the matter, but thinks that fines were imposed without due discrimination.

99. The Deputy Commissioner of Dihlí makes a similar explanation, and supports it with instances, which certainly show a great want of judgment on the part of Magistrates One officer fined two pauper pensioners, subsisting on on Rs. 5 per mensem each, to the extent of Rs. 500 and Rs. 250, respectively.

100. Another officer imposed two fines of Rs. 500 each on two other pensioners, also subsisting on Rs. 5 per mensem. "In truth," says the Deputy Commissioner, "it appears to me that Magistrates, European Magistrates especially,

impose very heavy fines, not with a view to their realization (of which they probably have no hope), but with the view either to impress the imagination of the ignorant, or to enlarge their own power to punish by imposing imprisonment in lieu of fine."

101. A good many Deputy Commissioners have reported an improvement in the proportion of realizations to have been caused by the introduction of the new provision contained in Section 61, Act VIII of 1869, whereby fines are made leviable without, as well as within, the jurisdiction of the Court.

In Muzafargarh District, Rs. 4,358 were recovered for the Courts of other Districts under this section.

Compensation

102. Rs. 72,889 were ordered to be paid as compensation to injured parties. Of this amount, a sum of Rs. 34,952, or 47 per cent., was actually paid. This per-centage is 5 per cent. higher than in 1869, and 8 per cent. higher than that of 1868, which is satisfactory, and shows that Magistrates pay attention to the matter. The highest proportions were paid in—

Gújrát,	85 per cent.
Bannú,	79 „
Dehra Ismaíl Khán,	78 „
Hazára,	71 „
Gúrgáon,	69 „

The proportion was lowest in Ambala (10 per cent.) and Múltán (12 per cent.). The Deputy Commissioner of Kohát observes that among a Pathan community the payment of compensation out of the fines awarded acts beneficially, and often prevents petty cases of hurt from leading to feuds, and the consequent result, *viz.*, revengeful murder, when a fitting opportunity occurs.

Whipping

103. The total number of persons whipped has decreased from 3,136 in 1869, to 2,021 in 1870, a falling off amounting to 35 per cent. Of the persons whipped in lieu of other punishments, 1,319 were adults, and 269 juveniles; 436 were sentenced to whipping in addition to other punishments. Of the 2,024 persons whipped, 407 were sentenced to not more than 10 stripes, 767 to not more than 20 stripes, and 850 to not more than 30 stripes.

104. The Court has frequently pointed out the apparently needlessly restrictive provisions as to the conditions under which whipping may be

awarded in addition to other punishments, and the Court sees no reason to change the opinion formerly expressed on the point.

105. Several District officers have brought to notice the strong aversion which Native Magistrates entertain to the infliction of this punishment. Major Tighe points out, that of 241 persons whipped in Ambála in 1869, 226 were flogged by order of a European Magistrate, and only 15 by order of a Native Magistrate; and that in 1870, 51 persons were flogged by European Magistrates, and 6 only by Extra Assistant Commissioner Mahsum Alí Khan: no other Native Magistrate in the District having passed a single sentence of flogging. Similarly, the great falling off in the number of persons whipped is ascribed in part by Major Tighe to the weakness of the European staff. Major Birch and Mr. Thomas make observations to the same effect.

Committals.

106. His Honor the Lieutenant Governor in reviewing the report of 1869, alluded to the remarks made by the Deputy Commissioner of Lahore on the subject of committals, and expressed his hope that Mr. Griffin's surmises that officers are sometimes induced to pass inadequate sentences in consequence of the trouble involved in a committal to the Sessions, would not be found to be correct. Officers accordingly have been requested to give their opinion upon this point. The greater number report that there is no such tendency. Some officers however have recorded a different experience. Thus the Commissioner of Ambála says with regard to inadequate sentences passed to save the trouble of committal:—

"I should be sorry to accuse any Magistrate of doing so knowingly—a charge which would be very difficult to prove—but I should be very sorry to affirm that I had never done so myself. I would beg officers who doubt that it is done to put the same question to themselves. I certainly have seen very strong indications of it. I do not mean that the thing is done with *malice prepensa*, but unwittingly as it were, and perhaps with a desire to secure a certain amount of punishment where guilt was clear, but legal evidence weak. I have little doubt that the result of the present cumbrous procedure is, that many cases which are technically speaking Sessions cases, but which from their special circumstances only call for an imprisonment of 6 months or a year, are simply shirked, and not taken up at all. What ought to be taken up as perjury cases, are, I am convinced, frequently so treated."

107. Again, the Deputy Commissioner of Húshiárpúr writes—

"As to the trouble of committing cases to the Sessions, specially in the direction of unduly light sentences, there is no doubt that it does so, and still more does the fear of release of the accused on the trial so operate to prevent their being committed."

The Commissioner concurs in this opinion.

108. The Deputy Commissioner of Gúrgáon also thinks that Magistrates sometimes pass sentence themselves to avoid the trouble of a committal.

109. The Deputy Commissioner of Bánú writes—

"I do not think officers are induced to dispose of cases—themselves passing inadequate sentences—in consequence of the *trouble* involved in a committal to the Sessions, but I believe that many officers agree with me in thinking that, in cases of 2nd conviction, a Magistrate would rather pass the maximum sentence he could inflict himself, while the case was fresh in the minds of the people, than commit the case to the Sessions, with the prospect of the offender receiving an additional punishment several months later, when the crime had been forgotten, and all example would be lost."

110. The Deputy Commissioner of Jálandhar writes—

"I have not observed any instances in which I had reason to believe that officers have disposed of cases by passing inadequate sentences, rather than take the trouble of committing them to the Sessions, but I am inclined to think that the committal to the Sessions might be simplified by doing away with the calendar, which is nowhere prescribed in the Criminal Procedure Code, and I believe answers no satisfactory end commensurate with the trouble of its prepartion, while the detailed statement of each witness, which has to be recorded in full by the committing officer, and again by the Sessions, appears to me superfluous, and I believe in England is not required. I would suggest that the only record that is really required by the Sessions Judge to prevent unnecessary committals, should be the statement of complainant in full, the medical evidence (if any), and accused's statement, and the outline of witnesses' statements. This should be sufficient to ensure the necessary evidence being forthcoming on the trial after the case had been checked, and then summarily gone through by the committing Magistrate, and would relieve the officers of much work that is now needlessly gone through. If to this were added a quicker disposal of Sessions cases, I believe more speedy and more accurate justice would be obtained. Cases often fall through by the delay caused in disposing of them. Magistrates are supposed to give a preferential right to the hearing of all criminal cases, and I see no reason why the same should not be done by Commissioner and Sessions Judge. If this were done, the average duration of such cases might be reduced from the present average of 40 days, as most cases of this kind are disposed of in one sitting."

111. The question of the simplification of the present form of calendar, in cases committed to the Sessions Judge, is under consideration.

Enhanced punishment.

112. Of the cases tried by the Sub-Magistrates, 947, or 3 per cent., were submitted to the Magistrate of District for punishment under the provisions of Section 277 Criminal Procedure Code. It is reported by several Deputy Commissioners that a tendency exists among Sub-Magistrates to punish offenders themselves, instead of adopting this procedure. In Montgomery, where it is so important that cattle-thefts

be severely punished, such cases have been disposed of by the Sub-Magistrates.

113. The Deputy Commissioner of Hissár, in alluding to the subject, points out that the Sub-Magistrates have an inducement to pass sentence themselves instead of sending cases to the Deputy Commissioner, from the fact that cases so submitted are shown in the returns as work disposed of by the Deputy Commissioner, and not by the Sub-Magistrate.

114. Instructions will be issued on the point.

115. The number of persons punished on second conviction was 1224. 302 persons were convicted for a third time and upwards.

Second convictions

The greatest number of persons against whom previous convictions were shewn, were punished in the Lahore, Amritsar, and Pesháwar Districts. Deputy Commissioners report that the required registers of convictions are accurately kept up.

Very little use is made of the power conferred by Section 75 Indian Penal Code, of doubling the punishment on re-conviction in certain cases.

116. On this subject Colonel Graham remarks—

"Captain Hare remarks that heavier punishments are inflicted for first offences in India than in England, while men who have previously been convicted are more leniently dealt with in the former country. There is no doubt that the provisions of Section 75 of the Indian Penal Code are not given sufficient attention to, and that habitual offenders get off with easier sentences than in England. Under the English Law, 24 and 25 Vict., Cap. 96, S. 7, the penal servitude with which a man is punishable for larceny, after a previous conviction for felony, is 10 years, and may not be less than 3 years, which minimum punishment was subsequently raised to 7 years under 27 and 28 Vict., Cap. 47, Section 2. In this country it is seldom that a man gets 7 years for a second larceny, this is to be regretted, as it is from habitual offenders that society has most to fear. The tendency in England has been of late years to protect the public by giving heavy sentences to this class of criminals, and by a system of police surveillance."

And Mr. Brandreth writes as follows :—

"With regard to offenders convicted a second time, I think that they are decidedly too often let off too easily. This is an error which has always struck me ever since I joined the Commission, and I do not see that there is much alteration. As Deputy Commissioner, I passed a rule that every person who had been previously convicted should be sent to my Court for trial, and I think if such were always, at all events, charged under Section 75, and such cases entered separately under that head, we should do much to improve our Criminal administration. I certainly think that it would be a tremendous improvement to allow all Magistrates the same power on a second conviction, as on a double conviction; and I consider the benefits of local enquiry and local

trial so great, that I would allow such cases to be sent up for special sentence under an amendment of the 277th Section. A man really twice convicted is an habitual offender, and does not deserve such tender and scrupulous dealing. At the same time, with our present rather hurried trials and brief averages, I think the general sentences of full power Magistrates are quite severe enough, and, if anything, err on the side of severity."

117. In Jálandhar, Section 75 was applied in 9 cases. The Deputy Commissioner reports that he takes up all the second convictions himself, which he says has a good effect, and enables the conduct of the land-owners in harbouring criminals to be watched and efficiently dealt with; a duty which, Mr. Saunders truly remarks, is one of the most important of those which the Deputy Commissioner has to perform in connection with the repression of crime.

118. The Deputy Commissioner of Ambála attributes a large number of second and third convictions to what he terms the comfortable idleness enjoyed in our jails by prisoners, who are made to work only at a rate which results in the money value of his labor being less than 6 annas 4 pie per mensem (the cost of his maintenance being more than Rs. 5 per mensem). He advocates the introduction of a system of hard out-door labor, and describes the system at Ropur, which he observes secures a real return to the State, and is at the same time so irksome to prisoners as to be a real punishment. The details however would be out of place in this report, and the Commissioner's and Deputy Commissioner's remarks on this important subject can, if necessary, be referred to in original. Moreover, the question has to be regarded from other points of view than as a deterrent punishment.

119. It is very desirable that cases of re-conviction, in cases against property especially, should be severely dealt with. Such an occurrence as Colonel Mercer states he has known, a Tehseeldar punishing an habitual offender 'on fourth or fifth conviction with 6 weeks' imprisonment, ought never to be heard of.

Fines for frivolous or vexatious complaints.

120. Under the provisions of Section 270, Criminal Procedure Code, Magistrates fined 498 persons for instituting frivolous and vexatious complaints.

This number shows an increase of 42 over the number of persons so dealt with in 1869. Instances of the enforcement of this salutary provision of the law were most numerous in the Ráwal Pindi, Gújrát, Ambála, Gúrdáspúr, Amritsar, and Multán Districts. In Húshiárpúr and Sháhpúr there was a marked falling off in such cases. The amount of fines so imposed was Rs.

The Deputy Commissioner of Kohát recommends a system of cash securities, which he thinks would be much more effectual in that District.

The Deputy Commissioner of Jálándhar thinks that the old system of working these men on the roads, paying them according to work done, had a much more salutary effect.

The Commissioner of Múltán writes

"The danger is in demanding unreasonable security. If this is not done, any reasonably respectable man can give security. Certainly this taking of security is the greatest check to theft that we have yet discovered.

In the Gújrat District, the Officiating Deputy Commissioner "went on the principle that it was dangerous to society to allow such characters to remain free, consequently he demanded heavy security, such as would render their imprisonment certain." Several cases in which this harsh application of the law had been made by Captain Harrington came before the Judge of the Chief Court on circuit, and were dealt with on the revision side.

Local nuisances.

128. There were 164 cases of local nuisances under Chapter XX, Criminal Procedure Code, as compared with 126 of the previous year. The greatest proportionate increase occurred in the Gúrgaon District, where the number of cases rose from 34 to 94. Of the 164 cases disposed of, 124 occurred in the Dihlí Division alone. In 21 Districts no such cases occurred.

In 144 cases the orders of the Magistrate were obeyed without demur. 41 persons were punished for disobedience.

Maintenance

129. There were 1790 cases of maintenance disposed of under Chapter XXI, Criminal Procedure Code. In 401 of these, or 22 per cent. was maintenance awarded. In the Districts of Amritsar, Syalkot, Lahore, Gújrát, Ráwal Pindí, Firozpúr and Pesháwar, there was a large increase in this class of cases. In Húshiarpúr such cases fell from 291 to 191, and in Jalandhar from 199 to 119. The highest percentage of awards occurred in the Districts of Simla (64 per cent); Gújranwala (60 per cent); Dehra Ismaíl Khán (43 per cent); and Ambála (40 per cent); and the lowest in Gújrát (8 per cent); Sháhpúr and Ludhiána (9 per cent. each).

130. There were 91 cases of disputes under Chapter XXII, against 60 in 1869. They nearly all occurred in either Ráwal Pindí or Pesháwar; and, like cases of security to keep the peace, their frequency is dependent on the temper of the people and the character of the country.

Disputes concerning land, water, &c.

B.—APPEALS TO MAGISTRATES.

131. The number of appeals to Magistrates was 1,833, or 299 more than in the previous year. This may be accounted for by the fact that a larger number of persons were disposed of by Magistrates in 1870 than in 1869. Including the pending appeals of the previous year, there were 1840 cases, affecting 3,367 persons, for disposal, of which 1821 cases and 3,334 persons were disposed of in the following manner :—

442,	or 13	per cent.,	were rejected.
1,770,	or 53	„	„ confirmed.
478,	or 14·3	„	„ modified.
610,	or 18·6	„	„ reversed.
34,	or 1	„	„ annulled.

132. A larger per-centage of the appeals from orders of Sub-Magistrates were rejected and confirmed than in the previous year. The proportions are 63 per cent. for 1869, and 66 per cent. for 1870.

133. Appeals from the orders of unpaid Magistrates were rejected or confirmed in larger numbers than those from decisions of paid Magistrates; 73 per cent. of the decisions of the former were so treated by Magistrates of Districts, and about 65 per cent. of the decisions of the latter. On the other hand, 74 per cent. of the decisions of European Sub-Magistrates were confirmed, to 66 per cent. of those of Native Sub-Magistrates.

134. In 62 cases, as compared with 48 in the previous year, further enquiry was ordered under Section 422 Criminal Procedure Code. The largest number of cases were in the Firozpúr and Múltán Districts.

135. There were only 19 cases, involving 33 persons, pending at the close of the year. Of these, only 2 had been pending over one month.

136. The average duration of appeals was the same as in the previous year, *viz.*, 8 days. The average duration was high in Montgomery (19 days);

Banú (16 days); Jhang (16 days); Kángra (13 days). In Amritsar there has occurred a commendable reduction in long average durations, from 26 to 7 days; in Kángra the average duration has risen from 4 to 13 days.

137. In Hissár, 78 appeals were disposed of with an average of 1 day; and in Gújránwála 70 appeals, and in Sháhpúr 76, with an average, respectively, of 3 and 4 days.

PART II.—SESSIONS COURTS.

A.—Sessions trials.

Number committed and tried.

138. The total number of persons committed to the Sessions for trial was 962 in 1869, against 730 in the previous year. The number of cases was 471 to 416. The largest number of persons were committed by the Magistrates of—

Peshawar,	...	...	209
Lahore,	...	...	79
Banú,	...	...	60
Ráwal Pindí,	...	...	60

139. An increase in the number of cases committed is most apparent in the Divisions marginally noted. There was a falling off in the number of cases committed to the Sessions Courts of Múltán and the Dehraját.

	1869.	1870.
Peshawar,	61	103
Ráwal Pindí,	46	67
Lahore,	54	63
Jálandhar,	38	49

140. The number of persons tried during the year by Sessions Judges amounted to 961, as compared with 771 in 1869. Of these, 67 per cent. were convicted, 30 per cent. acquitted, 3 per cent. transferred, &c. The per-centage of convictions has increased by 7 per cent., as compared with the result obtained in 1869.

141. The following statement shows the result for each Division :—

Sessions Court.		For Disposal.		Disposed of		Per-centage of Persons.			Pending.		Average duration.	Date of oldest case pending.
		Cases.	Persons.	Cases.	Persons.	Convicted.	Acquitted.	Died, escaped, &c.	Cases.	Persons.		
Dihlí, ...	1869,	24	40	23	38	68	29	3	1	2	23	3rd December.
	1870,	32	76	29	66	79	15	6	3	10	27	Ditto.
Hissár, ...	1869,	25	44	25	44	66	32	2	...	...	25	...
	1870,	24	46	23	45	62	38	...	1	1	36	5th December.
Ambála, ...	1869,	38	67	38	67	77	22	...	...	...	43	...
	1870,	34	64	31	61	44	56	...	3	3	40	13th December.
Jálandhar, ...	1869,	39	55	38	54	88	12	...	1	1	30	14th December.
	1870,	50	93	49	92	72	27	1	1	1	39	12th November.
Amritsar, ...	1869,	29	48	25	44	77	21	2	4	4	43	22nd October.
	1870,	33	42	29	38	84	16	...	4	4	47	18th ditto.
Lahore, ...	1869,	57	81	54	76	65	35	...	3	5	35	29th November.
	1870,	66	107	62	97	68	32	...	4	10	47	13th October.
Ráwal Pindí,	1869,	47	132	44	128	53	45	2	3	4	51	29th October.
	1870,	70	141	67	138	87	12	7	3	3	41	15th November.
Múltán, ...	1869,	78	120	75	110	61	38	1	3	10	44	...
	1870,	59	117	59	117	51	46	3	...	...	37	28th October.
Dehraját, ...	1869,	38	79	32	73	29	63	8	6	6	54	22nd September.
	1870,	31	82	28	73	45	29	26	3	9	77	20th February.
Pesháwar, ...	1869,	71	170	58	137	49	50	1	13	33	43	17th September.
	1870,	116	277	105	234	69	31	...	11	43	32	19th July.
Total, ...	1869,	446	836	412	771	60	38	2	34	65	39	
	1870,	515	1,045	482	961	67	30	3	33	84	40	

142. The largest per-centage of convictions was in the Ráwal Pindí Division, where it was 87 per cent.; in Amritsar it was 84 per cent.; and in Dihlí 79 per cent.

143. The per-centage of acquittals was very high in the Ambála Division (56 per cent.), and Múltán Division (46 per cent.).

144. The frontier Divisions of the Dehraját and Peshávar show a large increase in the per-centage of convictions, as compared with 1869. In Amballa there has been a marked decrease in the proportion of convictions.

145. 33 cases, involving 84 persons, remained under trial at the end of the year. The largest number (43) being in the Peshávar Division.

Duration of Sessions trials.

146. The average duration of Sessions trials was 40 days, or one day more than in 1869. In the Ráwal Pindí, Múltán, and Peshávar Divisions, the average duration has been considerably reduced, while in the Hissár, Lahore, Jálandhar, and Dehraját Divisions the average has risen.

147. In Lahore this was due to exceptional causes. In Hissár the duration is still very moderate, being 36 days. In Jálandhar the cause of the increase is not assigned. As regards the duration in the Dehraját Court, it was apparently due to some Banú cases* which formed the subject of correspondence with Government, and to one in Dehra Ghází Khán District, which was kept pending till the Court should visit the District in the cold weather.

*Committed in 1870.

Witnesses.

148. 4,453 witnesses were examined, being about 153 more than in 1869.

Assessors.

149. Of 464 cases decided with the aid of assessors, Sessions Judges differed from them in 33 cases. In the Ráwal Pindí and Dehraját Courts the returns shew that the Sessions Judge concurred with them in opinion in every case.

150. The Commissioner of the Dehraját reports that "two assessors of different castes have been *selected* usually in each case." Opinions as to the usefulness of assessors vary considerably. The Commissioner of the Dehraját says they are useful, and often in difficult cases give very sound opinions. The Commissioner of Ambála reports that they are average men, and frequently a considerable assistance. The Commissioner of Múltán considers them of very great use, and states that they take a great interest in the cases, and have often helped the Judge in a very remarkable manner. The Commissioner of Jálandhar concurs in thinking them useful. The Commissioner of Amritsar says they are extremely intelligent and useful, and form a good judgment on evidence.

151. On the other hand, the Commissioner of Dihlí, differing from the majority, considers them for all judicial purposes useless.

152. The Commissioner of Ráwal Pindí does not find them of much assistance, and characterizes them as indolent.

The Commissioner of Lahore remarks—

"The great fault is their *timidity*, and to such an extent does this go in important cases, that it is often very difficult indeed to obtain from them an opinion *at all*.

* * * * * * * *

Their real use is in the assistance their knowledge of native character and customs lends to the Court, during examination of native witnesses, of the credibility of whose evidence they are of course the best judges."

The Commissioner of Pesháwar observes —

"In this matter I write in consultation with the Additional Commissioner, who expresses his opinion that 'our assessors are of but little, if any, assistance to the Judge, while they consider the duty irksome and invidious. They understand better now, however, than formerly, the nature of their duties, and that they should form and express independent opinions, without reference to what the opinion of the Court may be.'"

Colonel Pollock adds—

"I take a more favorable view of the assessors and their usefulness, but they certainly shrink from the duty, and the more timid ones say as little as possible, especially in Eusufzai, where party feeling is most strong."

153. The opinion of the Judges on the worth of assessors was recorded in para. 102 of the Court's report for 1869.

Punishments awarded by Sessions Courts.

154. The punishments inflicted by Sessions Judges were as follows :—

130	persons	were	sentenced to death.
94	Do.	do.	transportation for life.
370	Do.	do.	imprisonment.
220	Do.	do.	fine.
6	Do.	do.	whipping.

In four cases forfeiture of property formed part of the sentence.

Fines imposed by Sessions Courts.

155. The amount of fines imposed was Rs. 34,325, of which Rs. 7,568, only, or 22 per cent., was realized. Realizations were effected as follows :—

	Imposed.	*Realized.*
Dihlí, ...	Rs. 5,420 ...	Rs. 183
Hissár, ...	810 ...	200
Ambála, ...	580 ...	*Nil.*
Jálandhar, ...	2,120 ...	106
Amritsar	400 ...	200
Lahore	1,915 ...	350
Ráwal Pindí, ...	4,860 ...	1,124
Múltán, ...	1,270 ...	750
Dehraját, ...	1,100 ...	600
Pesháwar, ...	15,850 ...	2,678

As compared with 1869, the amount imposed by all Courts was more than double. The realizations bear a slightly smaller proportion to the amount imposed; the proportion realized in 1869 being 21 per cent., and in 1870 22 per cent. The subject requires attention, and one or two of the Commissioners seem to realize this. The very small amounts realized in Dihlí, Jálandhar, and Pesháwar, have not however been explained. The Commissioner of Jálandhar however promises a special report on the subject. The Deputy Commissioners through whom the fines are realized, are, no doubt, in some cases primarily responsible for the badness of the result; but it is certainly the duty of Com-

missioners to exercise such vigilance as will prevent the punishments they inflict being rendered inoperative from want of vigour in carrying them out.

156. No jail delivery was held in Dera Ghazee Khan during the year under report: the subject has been discussed in the correspondence ending with Secretary's No. 1403, dated 30th September 1870.

B.—Appeals to Courts of Sessions.

157. The subjoined comparative table shows the manner in which appeals preferred to Sessions Judges were dealt with:—

Sessions Courts.		Number of appeals for disposal.		Disposed of.		Persons.					Pending at the close of the year.		Average duration.	Date of oldest case pending.
		Cases.	Persons.	Cases.	Persons.	Per-centage rejected.	Per-centage confirmed.	Per-centage reversed	Per-centage modified.	Per-centage returned for re-trial.	Cases	Persons.		
Dihlí, ...	1869,	298	463	296	460	15	62	14	9	...	2	3	5	21st December.
	1870,	285	459	280	453	7	74	3	16	...	5	6	8	15th ditto.
Hissár, ...	1869,	182	261	180	259	14	62	8	16	...	2	2	6	18th ditto.
	1870,	152	234	149	230	16	70	6	8	...	3	4	7	9th ditto.
Ambála. ...	1869,	392	439	392	439	19	70	6	5	...	...	...	3	
	1870,	222	232	218	228	22	64	8	13	...	4	4	7	2nd ditto.
Jálandhar, ...	1869,	205	216	204	215	4	78	7	11	...	1	1	18	20th ditto.
	1870,	172	175	165	168	12	75	2	11	...	7	7	16	13th September.
Amritsar, ...	1869,	291	361	282	352	43	37	4	16	...	9	9	23	28th May.
	1870,	217	277	202	262	50	39	4	7	...	15	15	41	22nd September.
Lahore, ...	1869,	480	612	470	594	30	50	2·7	17	0·3	10	18	15	8th November.
	1870,	376	465	365	452	11·5	60·3	7·5	20·3	0·4	11	13	21	15th ditto.
Ráwal Pindí,	1869,	401	635	388	572	4	72	9	15	...	18	63	26	2nd August.
	1870,	319	517	296	486	11·5	77·7	5·5	5·1	...	23	31	18	23rd November.
Múltán, ...	1869,	314	432	296	406	36	35	9	9	11	18	26	17	29th October.
	1870,	326	404	323	397	35	44	10	11	...	3	7	29	14th December.
Dehraját, ...	1869,	201	294	197	290	13	69	1	11	6	4	4	33	8th November
	1870,	206	278	199	267	14	70	4	9	3	7	11	44	9th July.
Pesháwar, ...	1869,	315	522	309	513	2	88	4	6	...	6	9	17	17th September.
	1870,	242	352	240	350	11	78	4	7	...	2	2	7	28th December.
Total. ...	1869,	3,079	4,235	3,014	4,100	18	62	6	12	2	65	135	15	
	1870,	2,517	3,393	2,437	3,293	18	65	5	11	0·3	80	100	18	

158. From the above it will be seen that there has been a considerable falling off in the number of appeals preferred to Sessions Courts, especially so in the Divisions of Lahore and Ambála; in Amritsar and Pesháwar also the decrease is large. The following statement shows the proportion of appeals

preferred against the orders of Magistrates exercising full powers, to the number of original cases disposed of by them.

	No. of cases decided.	No. of appeals preferred.	Per-centage.
European full power Magistrates, ...	15,969	1,750	10·9
Native full power Magistrates, ...	8,689	756	8·7

159. The proportion of appeals rejected, and orders confirmed, was 83 per cent., or 3 per cent. more than in the previous year.

160. The largest per-centage of orders reversed and modified occurred in the Lahore and Múltan Courts, where it was 27 and 21 per cent., respectively. The average duration of appeals has increased from 15 to 18 days. In the Amritsar and Dehraját Divisions it was particularly high.

161. There were 80 appeals pending at the close of the year, the largest number (23) being in the Ráwal Pindí Division. 27 cases had been pending more than one month, of which more than two-thirds were in the Ráwal Pindí Division alone; but none of these are of older date than 23rd November. The oldest appeals pending were in the following Divisions :—

Jálandhar, ... 13th September.
Amritsar, ... 22nd do., 27th do.,
Dehraját, ... 9th July.

162. In the Lahore and Múltán Divisions the largest number of cases were returned for further enquiry: these Divisions were also conspicuous in this respect in the previous year.

The Dehraját is the only Division in which no further enquiries were ordered, but in this Division were made the largest number of orders for annulment of conviction and retrial under Section 427 Criminal Procedure Code.

PART III.—WORKING OF THE CHIEF COURT.

A.—As a Court of Original Jurisdiction.

163. The Chief Court held seven Sessions during the year in the exercise of its Original Criminal Jurisdiction, all of which were held at Lahore. Fifteen European British Subjects were brought up for trial, one of whom appeared in two cases at different periods. Of this number, three were acquitted, and twelve convicted.

Sessions.

The names of the persons tried, the offences of which they were convicted, and the sentences awarded, are exhibited in the annexed table :—

STATEMENT OF SESSIONS TRIALS IN THE CHIEF COURT OF THE PUNJAB DURING THE YEAR 1870.

Number.	Sessions.		Prisoners.	Committed.		Of what offence convicted.	Sentence.	
	Where held.	Trials.		By whom.	Date.		Date of.	Nature of.
1	Lahore, ...	1	Ensign R. H. C. Dalzell, ...	Major McMahon, Deputy Commissioner and Justice of the Peace, Dehli, ...	10th Jany. 1870,	Assault or use of criminal force, otherwise than on grave provocation, Section 352, Indian Penal Code, ...	1st February 1870,	A fine of Rs. 10, in addition to the Rs. 300 paid as compensation to the family of the deceased. Total fine Rs. 310.
2	Lahore, ...	2	A. Robinson, Engine Driver,	Mr. T. Roberts, Assistant Commissioner and Justice of the Peace, Umballa,	25th Jany. 1870,	Rashly or negligently, and without lawful excuse, doing any act likely to endanger the safety of any person travelling, or being upon the railway, Section 28 of Act XVIII of 1854; and causing grievous hurt by an act which endangers human life, Section 338, Indian Penal Code, ...	18th March 1870,	Six months' simple imprisonment.
3	Lahore, ...	3	Joseph Swift, Private in Her Majesty's 85th Light Infantry,	Mr. Griffin, Officiating Deputy Commissioner and Justice of the Peace, Lahore, ...	30th March 1870,	Causing grievous hurt by doing an act which endangers human life, Section 338, Indian Penal Code, ...	20th April 1870,	One years' rigorous imprisonment.
4	Lahore,	4	Charles Berresford, ...	Mr. Thomas, Deputy Commissioner and Justice of the Peace, Umballa, ...	1st April 1870,	Cheating and thereby dishonestly inducing the delivery of property, and attempting to cause the disappearance of evidence of an offence that had been committed, Sections 420, 201, 511, Indian Penal Code, ...	11th May 1870,	Eighteen months' rigorous imprisonment, and a fine of Rs. 250, or in default, 6 months' additional rigorous imprisonment.
5			John Berresford,	Ditto ditto,	Ditto	Abetment of cheating, whereby the delivery of property was dishonestly induced, and causing disappearence of evidence of an offence that had been committed, ...	11th May 1870,	Ditto ditto.

6	Lahore, ...	5	J. D. White, ...	Captain Lambert, Cantonment Magistrate, Umballa, ...	4th April 1870,	Criminal breach of trust by a servant. Forgery for the purpose of cheating, and using as genuine a document which is known to be forged, Sections 408, 468 and 471, Indian Penal Code, ...	16th May 1870,	Three years' rigorous imprisonment.
7	Lahore, ...	6	J. A. Wilkinson,	Lieutenant Colonel W. R. Eliott, Deputy Commissioner and Justice of the Peace, Ludiana,	31st March 1870,	Dishonest misappropriation of moveable property, Section 403, Indian Penal Code, ...	16th May 1870,	Two years' rigorous imprisonment, and fine of Rs. 500, or in default 6 months' further rigorous imprisonment.
8	Lahore, ...	7	C. W. O'Donoghue,	Mr. F. Bullock, Assistant Commissioner and Justice of the Peace, Lahore, ...	19th May 1870,	Acquitted.		
9	Lahore, ...	8	Mrs. Kalbitzer,	Major Shortt, Deputy Commissioner and Justice of the Peace, Multan, ...	27th June 1870,	Concealment of birth by secret disposal of dead body, Section 318, Indian Penal Code, ...	21st July 1870,	Six months' simple imprisonment.
10	Lahore, ...	9	J. Hamilton, ...	Major Ferris, Deputy Commissioner and Justice of the Peace, Montgomery, ...	21st July 1870,	Voluntarily causing hurt, ...	22nd July 1870,	Fine of Rs. 400, in default 3 months' simple imprisonment.
11	Lahore, ...	10	R. Barlow, ...	Mr. Gardiner, Officiating Deputy Commissioner and Justice of the Peace, Amritsar,	5th August 1870,	Unnatural offence, Section 377, Indian Penal Code, ...	10th August 1870,	Seven years' rigorous imprisonment.
12	Lahore, ...	11	H. Rolfe, ...	Mr. A. Stogden, Assistant Commissioner and Justice of the Peace, Dehli, ...	26th July 1870,	Dishonest misappropriation of moveable property, Section 403, Indian Penal Code, ...	11th August 1870,	Eighteen months' rigorous imprisonment.

Statement of Sessions Trials in the Chief Court of the Punjab during the year 1870.—*Concluded.*

Number.	Sessions.		Prisoners.	Committed.		Of what offence convicted.	Sentence.	
	Where held.	Trials.		By whom.	Date.		Date of.	Nature of.
13	Lahore, ...	12	W. Oxtoby, ...	Mr. Bullock, Assistant Commissioner and Justice of the Peace, Lahore, ...	1st August 1870,	Acquitted.		
14	Lahore, ...	13	C. W. O'Donoghue,	Mr. J. Rowe, Extra Assistant Commissioner and Justice of the Peace, Ludiana, ...	16th June 1870,	Dishonest misappropriation of moveable property, Section 403. ...	9th Novr. 1870,	One years' rigorous imprisonment.
15	Lahore, ...	14	D. Kirwan, ...	Captain R. Sandeman, Deputy Commissioner and Justice of the Peace, Dera Ghazee Khan, ...	15th Octr. 1870,	Acquitted.		
16	...	...	J. H. Gordon,	Captain Plowden, Assistant Commissioner and Justice of the Peace Murree, ...	10th July 1870,	Struck off, as unsustainable.		
17	...	...	J. J. Maynihan,	Lieutenant Colonel Hawes, Offg. Deputy Commissioner and Justice of the Peace, Loodiana,	17th Augt. 1870,	Ditto, ...		

B.—As a Court of Reference.

Cases referred under Section 398, Criminal Procedure Code.

164. The number of cases which came before the Chief Court for confirmation of sentence of death was 87, against 65 of the previous year; and the number of persons involved in these cases was 126. Of these, the sentence of death passed upon 97 persons was confirmed; in regard to 9 persons it was modified; and 21 persons were acquitted.

The largest increase in such cases has occurred in the Pesháwar, Múltán and Ráwal Pindí Divisions.

The proportion of orders confirmed was 76 per cent., as compared with 69 per cent. of the previous year.

The following table shows the manner in which the cases were disposed of during the two past years :—

Sessions Courts.		Number for disposal.		Persons disposed of.					Pending.	
				Sentence of death confirmed.	Sentence of death modified.	Acquitted.	*Total.*			
		Cases.	Persons.				Cases.	Persons.	Cases.	Persons.
Dihlí, ...	1869,	5	6	5	1	...	5	6	...	...
	1870,	7	13	7	...	6	7	13	...	...
Hissár, ...	1869,	3	4	4	...	...	3	4	...	...
	1870,	1	2	2	...	...	1	2	...	...
Ambála, ...	1869,	5	8	3	1	...	3	4	2	4
	1870,	4	6	4	2	...	4	6	...	...
Jálandhar, ...	1869,	8	9	5	3	1	8	9	...	...
	1870,	3	5	3	...	...	2	3	1	2
Amritsar, ...	1869,	6	8	6	2	...	6	8	...	...
	1870,	6	6	4	2	...	6	6	...	...
Lahore, ...	1869,	9	11	7	2	...	7	9	2	2
	1870,	6	9	8	1	...	6	9	...	...
Ráwal Pindí, ...	1869,	14	21	15	6	...	14	21	...	...
	1870,	20	36	22	1	13	20	36	...	...
Múltán, ...	1869,	7	9	3	5	1	7	9	...	...
	1870,	17	21	19	1	...	16	20	1	1
Dehraját, ...	1869,	4	5	4	1	...	4	5	...	...
	1870,	2	2	2	...	...	2	2	...	...
Peshawár, ...	1869,	4	6	4	...	2	4	6	...	...
	1870,	25	32	26	2	2	23	30	...	...
Total, ...	1869,	65	87	56	21	4	61	81	4	6
	1870,	91	132	97	9	21	87	127	2	8

C.—As a Court of Appeal.

165. The following comparative table shows the manner in which appeals preferred to the Chief Court were disposed of.

Sessions Courts.		No. of appeals for disposal.		Disposed of.		Persons.					Pending at the close of the year.		Average duration.	Date of oldest case pending.
		Cases.	Persons.	Cases.	Persons.	Per-centage rejected.	Per-centage confirmed.	Per-centage modified.	Per-centage reversed.	Per-centage annulled or re-trial ordered.	Cases.	Persons.		
Dihli, ...	1869,	41	76	35	62	66	26	2	6	...	6	14	33	18th August 1869.
	1870,	50	111	48	108	5	66	5	22	2	2	3	41	18th March 1870.
Hissár, ...	1869,	25	32	25	32	47	47	3	3	...	...	...	31	...
	1870,	26	56	25	55	16	64	...	20	...	1	1	37	22nd December 1870.
Ambála, ...	1869,	21	26	19	24	58	42	...	...	...	2	2	29	22nd December 1869.
	1870,	29	29	28	28	18	78	...	4	...	1	1	42	16th June 1870.
Jálandhar, ...	1869,	59	67	50	58	60	34	2	4	...	9	9	41	27th August 1869.
	1870,	72	73	66	67	9	70	6	15	...	6	6	45	6th July 1870.
Amritsar, ...	1869,	61	85	56	80	59	39	...	2	...	5	5	36	17th November 1869.
	1870,	69	93	63	80	26	53	9	7	...	6	13	39	3rd May 1870.
Lahore, ...	1869,	84	88	79	83	80	18	...	2	...	5	5	25	13th November 1869.
	1870,	89	114	81	103	47	50	...	3	...	8	11	36	16th April 1870.
Ráwal Pindí, ...	1869,	107	169	98	158	67	22	4	6	...	9	11	29	18th September 1869.
	1870,	98	165	73	105	27	47	10	15	1	25	60	53	22nd January 1870.
Múltán, ...	1869,	64	101	53	89	64	30	1	2·5	2·5	11	12	31	2nd June 1869.
	1870,	73	106	66	98	24	64	3	10	...	7	8	49	11th March 1870.
Dehraját, ...	1869,	31	40	30	35	68	26	...	6	...	1	5	52	22nd December 1869.
	1870,	24	34	22	32	44	50	6	...	...	2	2	48	4th May 1870.
Pesháwar, ...	1869,	69	114	65	108	44	53	1	2	...	4	6	41	6th October 1869.
	1870,	45	74	40	67	13	55	13	18	...	5	7	50	1st November 1870.
Total. ...	1869,	562	798	510	729	62	32	1·6	4	0·4	52	69	30	
	1870,	575	855	512	743	22·6	59	6	12	0·4	63	112	44	

166. The number of appeals preferred to this Court during the year was 523, or 15 less than the number preferred in 1869.

Appeals.

Thus, in 1869 there were 538 cases involving 753 persons, while in 1870 there were 523 cases affecting 729 persons. Including the appeals undisposed of at the close of 1869, there were, for disposed, 575 cases and 855 persons; of these 512 cases and 743 persons, were disposed of, leaving a balance of 63 appeals involving 112 persons.

The proportion of rejections was 22 per cent., and the proportion of orders confirmed 59 per cent.; 6 per cent. of the orders were modified, and 12 per cent. reversed.

The per-centage of reversals and modifications of appeals is very unfavorable in some of the Districts, notably those of Peshâwar, Hissár, Jehlam and Gúrgáon. In the case of three persons only were the proceedings quashed under Section 427 Criminal Procedure Code.

Only 9 cases were remanded for further enquiry under Section 422.

The average duration has increased by 14 days, and the pending file was slightly heavier.

D.—As a Court of Revision.

Revision cases.

167. 160 references under Section 434 were made to this Court, against 150 in the previous year There has been an increase of 26 per cent. over the past year in the number of cases reported and called for. Including pending cases, there were 394 cases for disposal, of which 288 were disposed of, leaving 106 pending.

168 The proportion of orders confirmed (53 per cent.) is much larger than in the previous year, when only 41 per cent. were confirmed; while the per-centage of orders modified and annulled has greatly fallen, that of reversals has considerably increased.

The subjoined comparative statement shows the results of the cases dealt with on the Revision side.

Comparative Statement of Criminal trials and Judicial proceedings reported, and called for by the Chief Court of the Punjab, for Revision, under Chapter XXIX Criminal Procedure Code, from the Criminal Courts of the Punjab, during the years 1869 *and* 1870.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
DIVISION.	Pending at the close of 1869.		REPORTED AND CALLED FOR DURING 1870.								Total for disposal.		ORDERS.								Total disposed of.		Pending at the close of 1870.		PERCENTAGE OF ORDERS.			
			Under Sec. 402 C. P. C.		Under Sec. 404 C. P. C.		Under Sec. 405 C. P. C.		Under Sec. 434 C. P. C.				Confirmed.		Modified.		Reversed.		Annulled.						Confirmed.	Modified.	Reversed.	Annulled and re-trial ordered.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.			
Dihlí, ...	1869, 1	18	...	...	9	29	1	7	3	5	14	59	9	23	1	4	1	7	2	21	13	55	1	4	69	8	8	15
	1870, 1	4	...	...	9	14	6	10	17	32	33	60	16	22	2	2	2	2	...	...	20	26	13	34	80	10	10	...
Hissár, ...	1869, 1	1	...	...	1	1	...	...	12	51	14	53	1	2	...	1	1	1	6	6	8	10	6	43	12·5	...	12·5	75
	1870, 6	43	...	...	5	8	7	18	15	19	33	88	16	41	...	...	12	41	...	...	28	82	5	6	57	...	43	...
Ambála, ...	1869, ...	...	...	...	15	26	3	3	3	6	21	35	11	14	6	12	1	3	2	5	20	34	1	1	55	30	5	10
	1870, 1	1	1	1	11	14	3	4	1	1	17	21	7	8	...	...	3	5	2	2	12	15	5	6	58	...	25	17
Jálandhar, ...	1869, ...	...	...	...	3	5	3	3	8	11	14	19	5	5	3	3	...	...	4	7	12	15	2	4	42	25	...	33
	1870, 2	4	1	1	18	28	5	7	14	16	40	56	19	23	2	2	6	12	6	10	38	47	7	9	58	6	18	18
Amritsar, ...	1869, 1	7	...	...	13	16	1	1	40	91	55	115	19	38	10	15	...	...	17	47	46	100	9	15	41	22	...	37
	1870, 9	15	...	...	17	32	9	14	42	106	77	167	23	42	9	11	12	27	3	4	47	84	30	83	49	19	26	6
Lahore, ...	1869, ...	...	...	...	8	9	2	2	42	64	52	75	11	19	15	20	5	5	14	21	45	65	7	10	25	33	11	31
	1870, 7	10	...	...	29	48	12	15	29	39	77	112	33	51	10	15	11	15	6	7	60	88	17	24	55	17	18	10
Ráwal Pindí, ...	1869, 1	3	...	...	12	20	4	4	33	66	50	93	14	20	12	20	4	9	11	24	41	73	9	20	34	30	9	27
	1870, 9	19	...	...	12	33	2	2	31	81	54	135	9	43	16	29	10	23	2	2	37	97	17	38	24	43	27	6
Múltán, ...	1869, 1	1	...	...	19	41	1	1	6	8	27	51	4	4	3	3	2	3	3	6	12	16	15	35	33	25	17	25
	1870, 15	35	2	2	20	30	1	1	4	65	42	133	23	43	5	12	4	64	2	3	34	122	8	11	68	14	12	6
Dehraját, ...	1869, ...	...	...	...	15	20	5	20	...	...	20	40	11	13	1	3	1	2	6	7	19	25	1	15	58	5	5	32
	1870, 1	15	...	...	3	7	3	4	1	1	8	27	4	19	1	4	3	4	...	...	8	27	...	...	50	12·5	37·5	...
Pesháwar, ...	1869, 1	3	...	...	5	11	1	1	3	10	10	25	7	15	1	8	...	...	2	2	10	25	...	...	70	10	...	20
	1870, ...	...	1	1	3	5	3	6	6	10	13	22	4	7	3	7	1	1	1	3	9	18	4	4	45	33	11	11
GRAND TOTAL, ...	1869, 6	33	...	...	100	178	21	42	150	312	277	565	92	153	52	89	15	30	67	146	226	418	51	147	41	23	7	29
	1870, 51	146	5	5	127	219	51	81	160	370	394	821	154	299	48	82	64	194	22	31	288	606	106	215	53·4	16·6	22·2	7·6

169. The cases of 8 lunatics were reported during the year for orders, of which 6 were disposed of.

170. The annexed abstract statement shows at a glance the total amount of criminal work which came before the Chief Court during the years 1869 and 1870.

		For Disposal.		Disposed of.		Pending.	
		Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Original, ...	1869,	8	11	8	11	...	...
	1870,	14	15	14	15	...	...
Reference, ...	1869,	65	87	61	81	4	6
	1870,	91	132	87	127	2	3
Revision, ...	1869,	277	565	226	418	51	147
	1870,	394	821	288	606	106	215
Appellate, ...	1869,	562	798	510	729	52	69
	1870,	575	855	512	743	63	112
Total, ...	1869,	912	1,461	805	1,239	107	222
	1870,	1,074	1,823	901	1,491	171	330

From the above it will be seen that 96 cases more than in the previous year were disposed of in the year under report.

PART IV.—MISCELLANEOUS.

Lock-ups.

171. It is reported that at Pesháwar and Gúrgáon there is no lock-up. At the latter station prisoners in attendance at Court are kept under trees. At Hoti Murdan the lock-up does not provide sufficient accommodation.

271. The Lahore Sudder lock-up is in a bad state.

Record rooms.

173. At Gúrgáon, Jálandhar, Amritsar, Múltán and Banú, the accommodation in the record rooms is reported as bad or insufficient; at the latter station a new record room is said to be required.

174. The Mouzahwar system of record has been now generally introduced, and is stated to work well.

Naib-Tehseeldars.

175. In view of the approaching changes in the judicial system, the Judges deem it desirable to bring the following remarks on the subject of the appointment of Naib-Tehseeldars to the notice of Government :—

Deputy Commissioner Kangra—

"Often Naib-Tehseeldars of this District have been invested with criminal powers. Much difficulty is experienced in filling up the vacancies in this grade.

"The appointment has been refused by all the Ministerial Officers in the receipt of better pay in the District office, and I have been obliged to make selections amongst young men of respectable family, but often of inferior education, in order to fill up these ranks.

"The pay of these officials is with few exceptions quite inadequate to the important and responsible duties required of them, and they are often ruined by being invested with judicial powers before they have acquired sufficient knowledge or stability of character to conduct such duties satisfactorily. There is moreover something anomalous in making Judges of men who receive in some instances little more than the ordinary Vernacular Clerk of the District office.

"The rule which requires that Tehseeldars should be selected from this grade, is also prejudiced by the present system, as the class of Naib-Tehseeldars to be found in most Districts are certainly not the persons who are best fitted for the higher appointments."

Deputy Commissioner Hushiarpur—

"I cannot say as much for their Deputies. It is well known how insufficient is their pay, and I now experience the greatest difficulty in getting any one to take a vacant post as Naib-Tehseeldar; and one's choice is much limited by the wholesome rule that only those men shall be made Naib-Tehseeldars who give promise of becoming good Tehseeldars. The result is, that we are either obliged to take school boys of good family, but incomplete education and want of force of character arising from their youth, or else to promote the lower rank of office clerks, from salaries of Rs. 25 per mensem or so, to this highly responsible office. There is now in this district one of the former class, a good enough youth, but very unlearned, who has had his head turned by promotion to this office, to a degree which makes him too proud now to study; and there is now one appointment going begging, for which I have absolutely not had an application from any one whom I could possibly recommend for it."

Commissioner Jalandhar Division—

"Similar complaints are made from all three Districts regarding the difficulty of filling up the vacant places in the grade of Naib-Tehseeldars, and reasons are given by each Deputy Commissioner."

Mr. Brandreth advocates in his report a decentralization of criminal work, to be effected by making over a large proportion of it to the Tehseeldars. He says—

"I like to see a large amount of criminal work taken up by the Tehseeldars, and their civil work diminished. I prefer this, because I find it more popular with the natives. They seldom accuse a Tehseeldar of partiality in a criminal case, and often do so in a civil one. Again, criminal cases are those in which local knowledge is of most importance, and in which it is of most importance to provide a speedy remedy, and to avoid harrassing witnesses. Moreover, an inferior Native Officer seems to get worse from civil work. He gets more petty, more minute, more vexatious to the people, whereas the criminal work seems decidedly to improve him; and, lastly, a bungled criminal case can be easily set right, if only a petty theft case, while a bungled civil case starts in hopeless confusion, which it never gets out of. Besides this, most of these cases are, or ought to be, sent up under Section 277; and cases prepared for the Deputy Commissioner are much better done than cases which may only be appealed to him."

Track Law.

176. The Court observes that it was stated in para. 11 of the orders of Government on the Criminal Report for 1869, that the gradual disuse of the track law in the Punjab would form the subject of separate enquiry. The reports now forwarded contain further evidence that the system is falling into disuse. The subject is of great importance to Districts in which the offence of cattle-lifting is still too common, and the Judges are of opinion that much might be done to maintain the tracking system in an efficient state if Deputy Commissioners were authorized to give rewards to trackers who distinguish themselves.

Conclusion.

177. The Local Reports are forwarded in original.

I have &c.,

J. A. E. MILLER,

Offg. Registrar, Chief Court of the Punjab.

No. I.

STATEMENT OF ENQUIRIES AND TRIALS.

COMPARATIVE GENERAL STATEMENT

1	2	3	4	5	6	7	8	9
			No. of Cases brought to Trial.			No. of Persons brought to Trial		
No.	Divisions.	DISTRICTS.	Non-bailable.	Bailable.	Total.	Non-bailable offences.	Bailable offences.	Total.
1	DIHLI.	Dihlí, .. { 1869,	695	923	1,618	1,068	1,950	3,018
		{ 1870,	583	1,134	1,717	966	2,166	3,132
2		Gúrgáon, ... { 1869,	517	913	1,430	864	2,263	3,127
		{ 1870.	457	1,127	1,584	769	2,809	3,578
3		Karnál, ... { 1869,	546	648	1,194	922	1,584	2,506
		{ 1870,	436	554	990	857	1,319	2,176
		Total, ... { 1869,	1,758	2,484	4,242	2,854	5,797	8,651
		{ 1870,	1,476	2,815	4,291	2,592	6,294	8,886
		Difference, ...	—282	+331	+49	—262	+497	+235
4	HISSAR.	Hissár, .. { 1869,	556	505	1,061	1,122	1,197	2,319
		{ 1870,	419	477	926	841	1,057	1,898
5		Rohtak, ... { 1869,	343	461	804	566	1,257	1,823
		{ 1870,	236	469	705	406	1,024	1,430
6		Sirsa, ... { 1869,	474	432	906	806	762	1,568
		{ 1870,	367	400	767	629	960	1,589
		Total, ... { 1869,	1,373	1,398	2,771	2,494	3,216	5,710
		{ 1870,	1,052	1,346	2,398	1,876	3,041	4,917
		Difference, ...	—321	—52	—373	—618	—175	—793
7	AMBALA.	Ambála, ... { 1869,	884	1,370	2,254	1,341	3,772	5,113
		{ 1870,	662	1,584	2,246	981	3,279	4,260
8		Ludhiána, ... { 1869,	466	955	1,421	67.	1,776	2,451
		{ 1870,	419	988	1,40.	623	1,657	2,280
9		Simla, ... { 1869,	212	491	703	268	926	1,194
		{ 1870,	150	626	776	186	1,230	1,416
		Total, ... { 1869,	1,562	2,816	4,378	2,284	6,474	8,758
		{ 1870,	1,231	3,198	4,429	1,790	6,166	7,956
		Difference, ...	—331	+382	+51	—494	—308	—802
10	JALANDHAR.	Jálandhar, ... { 1869,	673	1,529	2,202	1,054	3,611	4,665
		{ 1870,	558	1,482	2,040	760	3,288	4,048
11		Húshiárpúr, ... { 1869,	746	1,652	2,398	1,067	3,717	4,784
		{ 1870,	524	1,438	1,962	820	3,158	3,978
12		Kángra, ... { 1869,	381	1,717	2,098	535	3,684	4,219
		{ 1870,	307	1,626	1,933	431	3,904	4,385
		Tota ... { 1869,	1,800	4,898	6,698	2,656	11,012	13,668
		{ 1870,	1,389	4,546	5,935	2,061	10,350	12,211
		Difference, ...	—411	—352	—763	—595	—662	—1,457
13	AMRITSAR.	Amritsar, ... { 1869,	1,271	2,756	4,027	1,782	6,772	8,554
		{ 1870,	971	3,382	4,353	1,427	8,523	9,950
14		Gúrdáspúr, ... { 1869,	491	1,596	2,087	797	3,692	4,489
		{ 1870,	530	2,314	2,844	866	3,664	4,530
15		Syalkot, ... { 1869,	590	1,766	2,356	994	3,081	4,075
		{ 1870,	680	2,039	2,719	942	4,926	5,868
		Total, ... { 1869,	2,352	6,118	8,470	3,573	13,545	17,118
		{ 1870,	2,181	7,735	9,916	3,235	17,113	20,348
		Difference, ...	—171	+1,617	+1,446	—338	+3,568	+3,230

I.

OF ENQUIRIES AND TRIALS.

10	11	12	13	14	15	16	17	18	19	20	21	22
Disposed of.										Persons remaining under trial.		
Persons committed to the Sessions for trial.			*Persons convicted.*			*Persons acquitted and discharged.*			Number of persons who died, escaped, or were transferred.			Date of oldest case pending.
Non-bailable offences.	Bailable offences.	Total.	Of Non-bailable offences.	Of Bailable offences.	Total.	Of Non-bailable offences.	Of Bailable offences.	Total.		For Non-bailable offences.	For Bailable offences.	
9	1	10	707	949	1,656	330	995	1,325	5	20	2	6th December 1869.
23	1	24	537	1,241	1,778	355	910	1,265	22	37	6	10th October 1870.
20	3	23	583	1,587	2,170	241	646	887	11	10	26	22nd November 1869.
28	4	32	468	2,081	2,549	237	708	945	6	27	19	2nd December 1870.
14	1	15	509	945	1,454	385	628	1,013	16	8	...	1st December 1869
20	...	20	460	751	1,211	369	568	937	4	4	...	20th December 1870.
43	5	48	1,799	3,481	5,280	956	2,269	3,225	32	38	28	
71	5	76	1,465	4,073	5,538	961	2,186	3,147	32	68	25	
+28	...	+28	—334	+592	+258	+5	—83	—78	..	+30	—3	
14	1	15	851	828	1,679	244	369	613	6	6	...	14th December 1869.
10	6	16	607	741	1,348	216	308	524	1	7	2	21st November 1870.
26	2	28	350	846	1,196	179	395	574	9	2	14	2nd December 1869.
27	2	29	268	689	957	94	322	416	10	9	9	17th December 1870.
1	...	1	511	428	939	247	321	568	45	8	7	3rd December 1869
8	2	10	429	474	903	175	477	652	13	5	6	30th November 1870.
41	3	44	1,712	2,102	3,814	670	1,085	1,755	60	16	21	
45	10	55	1,304	1,904	3,208	485	1,107	1,592	24	21	17	
+4	+7	+11	—408	—198	—606	—185	+22	—163	—36	+5	—4	
29	2	31	982	2,975	3,957	322	775	1,097	20	6	2	4th December 1869.
33	11	44	680	2,041	2,721	257	1,216	1,473	2	10	10	8th December 1870.
13	10	23	526	708	1,234	123	1,055	1,178	3	12	1	7th December 1869.
17	8	25	415	639	1,054	188	1,004	1,192	...	3	6	9th December 1870.
6	....	6	216	722	938	45	202	247	2	...	1	9th December 1869.
1	...	1	142	960	1,102	43	270	313	...	...	...	
48	12	60	1,724	4,405	6,129	490	2,032	2,522	25	18	4	
51	19	70	1,237	3,640	4,877	488	2,490	2,978	2	13	16	
+3	+7	+10	—487	—765	—1,252	—2	+458	+456	—23	—5	+12	
42	11	53	675	1,601	2,276	295	1,938	2,233	27	15	61	22nd November 1869.
25	8	33	512	1,345	1,857	199	1,914	2,113	16	11	18	22nd November 1870.
17	2	19	798	2,129	2,927	195	1,577	1,772	42	20	4	24th September 1869.
31	9	40	593	1,607	2,200	154	1,521	1,675	24	19	20	10th December 1870.
...	...	...	426	2,093	2,519	101	1,586	1,687	3	6	4	18th June 1869.
23	1	24	315	2,479	2,794	136	1,412	1,548	3	6	10	1st November 1870.
59	13	72	1,899	5,823	7,722	591	5,101	5,692	72	41	69	
79	18	97	1,420	5,431	6,851	489	4,847	5,336	43	36	48	
+20	+5	+25	—479	—392	—871	—102	—254	—356	—29	—5	—21	
15	9	24	1,161	2,348	3,509	563	4,386	4,899	21	33	68	3rd September 1869.
21	2	23	846	2,462	3,308	516	5,947	6,463	4	43	109	5th October 1879.
13	...	13	506	1,154	1,660	230	2,485	2,715	53	2	46	10th December 1869.
5	...	5	550	1,153	1,703	251	2,484	2,735	39	21	27	17th November 1870.
12	...	12	679	1,404	2,083	247	1,666	1,913	52	5	10	10th November 1869.
6	...	6	710	1,186	1,896	188	3,721	3,909	20	18	19	23rd December 1870.
40	9	49	2,346	4,906	7,252	1,040	8,487	9,527	126	40	124	
32	2	34	2,106	4,801	6,907	955	12,152	13,107	63	82	155	
—8	—7	—15	—240	—105	—345	—85	+3,665	+3,580	—63	+42	+31	

1	2	3	4	5	6	7	8	9
			No. of Cases brought to Trial.			No. of Persons brought to Trial		
No.	Divisions.	DISTRICTS.	Non-bailable.	Bailable.	Total.	Non-bailable offences.	Bailable offences.	Total.
16	LAHORE.	Lahore, ... 1869,	1,480	2,550	4,030	2,230	4,825	7,053
		... 1870,	1,403	2,444	3,847	2,263	5,106	7,369
17		Firozpúr, ... 1869,	1,005	731	1,736	1,684	1,695	3,329
		... 1870,	757	1,034	1,791	1,211	2,376	3,587
18		Gújránwála, ... 1869,	811	686	1,497	1,353	1,377	2,730
		... 1870,	771	577	1,348	1,250	1,220	2,470
		Total, ... 1869,	3,296	3,967	7,263	5,217	7,895	13,112
		... 1870,	2,931	4,055	6,986	4,724	8,702	13,426
		Difference, ...	−365	+88	−277	−493	+807	+314
19	RAWAL PINDI.	Ráwal Pindí, ... 1869,	552	1,964	2,516	889	4,970	5,859
		... 1870,	522	2,664	3,186	804	7,879	8,683
20		Jehlam, ... 1869,	492	869	1,361	770	2,951	3,721
		... 1870,	305	1,067	1,372	538	3,055	3,593
21		Gújrát, ... 1869,	590	1,004	1,594	1,001	1,974	2,975
		... 1870,	639	1,032	1,671	1,088	2,126	3,214
22		Sháhpúr, ... 1869,	553	1,113	1,666	838	3,462	4,300
		... 1870,	469	901	1,370	716	3,451	4,167
		Total, ... 1869,	2,187	4,950	7,137	3,498	13,357	16,855
		... 1870,	1,935	5,664	7,599	3,146	16,511	19,657
		Difference, ...	−252	+714	+462	−352	+3,154	+2,802
23	MULTAN.	Múltán, ... 1869,	628	1,113	1,741	1,096	2,314	3,410
		... 1870,	773	882	1,655	1,187	1,952	3,139
24		Jhang, ... 1869,	397	485	882	606	1,493	2,099
		... 1870,	533	508	1,041	814	1,623	2,437
25		Montgomery, ... 1869,	705	411	1,116	1,[illegible]98	925	2,223
		... 1870,	666	417	1,083	1,074	1,103	2,177
26		Muzafargarh, ... 1869,	319	483	802	592	1,084	1,676
		... 1870,	320	441	761	557	1,116	1,673
		Total, ... 1869,	2,049	2,492	4,541	3,592	5,816	9,408
		... 1870,	2,292	2,248	4,540	3,632	5,794	9,426
		Difference, ...	+243	−244	−1	+40	−22	+18
27	DEHRAJAT.	Banú, ... 1869,	318	750	1,077	556	2,476	3,032
		... 1870,	347	697	1,044	614	2,264	2,878
28		Dehra Ismail Khán, ... 1869,	529	744	1,273	1,085	1,885	2,970
		... 1870,	612	738	1,350	949	1,946	2,895
29		Dehra Ghází Khán, ... 1869,	625	996	1,615	1,164	1,823	2,987
		... 1870,	666	1,013	1,669	1,143	2,104	3,247
		Total, ... 1869,	1,472	2,493	3,965	2,805	6,184	8,989
		... 1870,	1,615	2,448	4,063	2,706	6,314	9,020
		Difference, ...	+143	−45	+98	−99	+130	+31
30	PESHAWAR.	Pesháwar, ... 1869,	1,016	2,446	3,462	2,033	5,901	8,934
		... 1870,	1,018	2,776	3,794	1,793	7,883	9,676
31		Hazára, ... 1869,	239	375	614	648	1,013	1,361
		... 1870,	186	486	672	318	1,058	1,376
32		Kohát, ... 1869,	255	385	640	407	1,054	1,461
		... 1870,	234	482	716	431	1,310	1,741
		Total, ... 1869,	1,510	3,206	4,716	2,788	8,968	11,756
		... 1870,	1,438	3,744	5,182	2,542	10,251	12,793
		Difference, ...	−72	+538	+466	−246	+1,283	+1,037
		Grand Total, ... 1869,	19,359	34,822	54,181	31,761	82,264	114,025
		... 1870,	17,540	37,799	55,339	28,304	90,536	118,840
		Difference, ...	−1,819	+2,977	+1,158	−3,457	+8,272	+4,815

1.—*Concluded.*

10	11	12	13	14	15	16	17	18	19	20	21	22
Disposed of.										Persons remaining under Trial.		
Persons committed to the Sessions for trail.			*Persons convicted.*			*Persons acquitted and discharged.*						
Non-bailable offences.	Bailable offences.	Total.	Of Non-bailable offences.	Of Bailable offeyces.	Total.	Of Non-bailable offences.	Of Bailable offences.	Total.	Number of persons who died, escaped, or were transferred.	For non-bailable offences.	For bailable offences.	Date of oldest case pending.
52	6	58	1,510	3,211	4,721	565	1,588	2,153	47	57	17	7th December 1869.
42	28	70	1,552	2,986	4,538	594	2,070	2,664	58	17	22	7th December 1870.
17	...	17	1,082	872	1,954	518	813	1,331	9	15	3	9th December 1869.
10	...	10	909	1,329	2,238	271	1,023	1,294	6	18	21	22nd September 1870.
16	1	17	736	812	1,548	551	556	1,107	24	27	7	22nd September 1869.
8	1	9	787	688	1,475	415	515	930	11	30	15	1st December 1870.
85	7	92	3,328	4,895	8,223	1,634	2,957	4,591	80	99	27	
60	29	89	3,248	5,003	8,251	1,280	3,608	5,888	75	65	58	
—25	+22	—3	—80	+108	+28	—354	+651	+297	—5	—34	+31	
37	2	39	544	2,679	3,223	294	2,272	2,566	6	10	15	22nd November 1869.
43	19	62	498	4,949	5,447	232	2,875	3,107	13	26	28	23rd November 1870.
31	7	38	516	1,693	2,209	215	1,236	1,451	1	8	14	24th December 1869.
21	2	23	350	1,304	1,654	153	1,704	1,857	2	13	44	1st December 1870.
1	...	1	686	1,201	1,887	279	757	1,036	27	9	15	15th December 1869.
15	4	19	720	942	1,662	304	1,108	1,412	21	31	69	30th November 1870.
9	...	9	532	1,664	2,196	286	1,785	2,071	9	2	13	10th December 1869.
37	2	39	439	1,477	1,916	215	1,920	2,135	3	22	52	14th November 1870.
78	9	87	2,278	7,237	9,515	1,074	6,050	7,124	43	29	57	
116	27	143	2,007	8,672	10,679	904	7,607	8,511	39	92	193	
+38	+18	+56	—271	+1,435	+1,164	—170	+1,557	+1,387	—4	+63	+136	
26	8	34	744	1,240	1,984	311	1,001	1,312	3	14	63	12th October 1869.
18	...	18	834	827	1,661	319	1,043	1,362	6	10	82	6th November 1870.
3	...	3	440	749	1,189	127	695	822	9	30	46	13th October 1869.
31	1	32	580	873	1,453	164	726	890	18	27	17	12th November 1870.
29	16	45	922	570	1,492	318	334	652	17	15	2	29th September 1869.
5	13	18	814	796	1,610	236	276	512	3	16	18	16th November 1870.
27	2	29	403	716	1,119	149	362	511	4	13	...	6th November 1869.
25	1	26	370	535	905	154	561	715	2	6	19	2nd December 1870.
85	26	111	2,509	3,275	5,784	905	2,392	3,297	33	72	111	
79	15	94	2,598	3,031	5,629	873	2,606	3,479	29	59	136	
—6	—11	—17	+89	—244	—155	—32	+214	+182	—4	—13	+25	
26	...	26	273	1,596	1,869	249	875	1,124	1	7	5	26th October 1869.
54	8	62	240	1,344	1,584	301	905	1,206	3	17	6	26th October 1870.
10	...	10	442	1,025	1,467	618	851	1,469	...	15	9	27th December 1869.
2	...	2	517	883	1,400	421	1,058	1,479	...	9	5	31st October 1870.
30	...	30	580	876	1,456	533	945	1,478	...	21	2	3rd November 1869.
12	1	13	684	1,077	1,761	418	1,008	1,426	4	25	18	4th September 1870.
66	...	66	1,295	3,497	4,792	1,400	2,671	4,071	1	43	16	
68	9	77	1,441	3,304	4,745	1,140	2,971	4,111	7	51	29	
+2	+9	+11	+146	—193	—47	—260	+300	+40	+6	+8	+13	
85	9	94	500	4,640	5,140	1,421	2,231	3,652	8	21	19	8th October 1869.
177	38	215	504	5,058	5,562	1,090	2,741	3,831	5	18	46	10th October 1870.
26	...	26	193	529	722	104	484	588	5	20	...	17th October 1869.
14	...	14	116	651	767	174	402	576	...	14	5	21st September 1870.
21	1	22	198	770	968	180	282	462	2	6	1	11th November 1869.
42	...	42	210	937	1,147	170	373	543	1	8	...	23rd October 1870.
132	10	142	891	5,939	6,830	1,705	2,997	4,702	15	47	20	
233	38	271	830	6,646	7,476	1,434	3,516	4,950	6	40	50	
+101	+28	+129	—61	+707	+646	—271	+519	+248	—9	—7	+30	
677	94	771	19,781	45,560	65,341	10,465	36,041	46,506	487	443	477	
834	172	1,006	17,656	46,505	64,161	9,009	43,090	52,099	320	527	727	
+157	+78	+235	—2,125	+945	—1,180	—1,456	+7,049	+5,593	—167	+84	+250	

STATEMENTS.

IMPERIAL RETURN.

No. 1.

STATEMENT SHOWING THE VARIOUS JUDICIAL TRIBUNALS, ORIGINAL AND APPELLATE, EXISTING IN THE PROVINCE OF THE PUNJAB, ON THE LAST DAY OF THE YEAR 1870.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Class of Tribunals, distinguishing those which exercise powers in one Department, from those exercising powers in two or three Departments, and those consisting of paid, from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of Tribunals.	Constitution of tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each Tribunal, Original and Appellate.	Prescribed qualifications of Judges previous to appointment.	Total number of Judges. European. Covenanted.	Commissioned Military Officers.	Uncovenanted.	Native.	Aggregate annual salaries of officers.	Aggregate annual cost of Establishments.	Executive or other functions exercised by the same officers.	Average number of days devoted to Judicial Work.	Average number of Advocates attached to each tribunal.	Number of cases decided during the year. Original. Criminal.	Original. Civil.	Appeal. Criminal.	Appeal. Civil.
Local and Subordinate Magistrates of 2nd Class, exercising Criminal Powers only.—(*Tahsildars, Naib-Tahsildars, Canal and Forest Officers, &c.,*) Paid.				1	1	Section 22, Act VIII of 1869,	...	...	...	...	1	...	...	Naib-Tahsildar.		...	18			
Unpaid.				61	1		...	...	3	30	28	...	...	Canals, Customs and Forest Department Officers.		...	400			
Local and Subordinate Magistrates of 2nd Class, exercising Civil and Criminal Powers.—(*Assistant Commissioners, Tahsildars, Naib-Tahsildars, Honorary Magistrates, &c.,*) Paid.				132	1	Section 22, Act VIII of 1869 and Sections 5, 6 and 7, Act XIX of 1865,	...	9	2	8	113	...	...	Sub-Collectors, employed generally on administrative work. Superintendents of Abkaree, and Registration.		...	10,290	92,796		
Unpaid.				13	1		...	...	...	...	13	...	...	Honorary Magistrates.		...	521	6,119		
Local and Subordinate Magistrates of 1st Class, exercising Criminal Powers only.—(*Tahsildars, Honorary Magistrates, &c.,*) Paid.				4	1	Section 22, Act VIII of 1869,	...	...	...	...	4	...	...	Tahsildars.						
Unpaid.				16	1		...	1	6	6	3	...	...	Canals, Customs and Forest Department Officers.		...	654			
Local and Subordinate Magistrates of 1st Class, exercising Civil and Criminal Powers.—(*Assistant Commissioners, Tahsildars, Honorary Magistrates, &c.,*) Paid.				115	1	Section 22, Act VIII of 1869 and Section 8 of Act XIX of 1865,	...	...	1	3	111	...	...	Sub-Collectors, Superintendents of Abkaree, and general administrative work, Registration.		...	13,726	27,508		
Unpaid.				22	1		...	...	...	...	22	...	...	Honorary Magistrates.		...	1,004	3,294		
Small Cause Courts confined to their proper functions.				16	1	Tries cases up to Rs. 500 under Act XI of 1865,	...	1	8	7	...	...	...	...		...	...	37,122		
Small Cause Courts exercising also Ordinary Criminal and Civil Powers.												...	...	...		...	2,975	313		
Boards of Magistrates. ... ... Unpaid.	10	10,200 square miles.	17,61,149	8	*6	Section 22, Act VIII of 1869,	...	...	...	...	47	...	...	City Magistrates.	Gazetted holidays being excepted.	...	2,779			
Magistrates of full powers, exercising Criminal Powers only.—(*Honorary Magistrates, Officers in charge of Jails, &c.,*) ... ... Unpaid.				12	1	Section 22, Act VIII of 1869,	...	2	6	1	†3	...	...	City Magistrates and Superintendents of Jails.		...	750			

Magistrates exercising Criminal and Civil Powers.—(*Deputy, Assistant, and Extra Assistant Commissioners,*)	...	...	...	105	1	Section 22, Act VIII of 1869 and Sections 10 and 11 of Act XIX of 1865. Deputy Commissioners hear appeals from the orders of Sub-Magistrates,	...	25	33	17	30	...	...	Local Fund, Municipal, Nuzzool, Court of Wards, Road and Ferry Funds, Treasury, Registration, administrative charge of the District.	The entire year, Sundays and	...	21,144	‡ 36,562	1,821	6,788
Magistrates exercising powers under Act VIII of 1869.	...	...	...	...	Aided by Assessors in Sessions Trials.	Sections 445 *A*, *B*, Act VIII of 1869,	...	2	12	4	...	...	...	...		....	517				
Sessions Courts.	...	...	...	1	1 Aided by Assessors in Sessions Trials.	Section 22, Act VIII of 1869, and Section 12 of Act XIX of 1865. Also hear appeals from orders of Magistrates exercising Full Powers,	...	3	9	...	...	...	...	Superintendents of Revenue Administration, Civil Judge and Superintendent of Police, Appellate and Executive work.		§ 24	482	3	2,437	3,646
Chief Court.	...	...	...	1	3 Aided by a Jury in Original Criminal trials.	Act IV of 1866,	...	2	...	1	...	...	...	No executive functions.		‖ 23	14	2	512	1,603
TOTAL.	...	...	...	51	...	...	...	45	81	77	375	*9,98,322	3,83,346	...	...	47	55,274	2,03,719	4,770	12,042

* Average number.

† These Honorary Magistrates exercise full powers in the Criminal Department, but only special powers in the Civil Department.

‡ 932 of these cases were disposed of by Honorary Judges with full powers.

§ This shows the number of Subordinate Court Pleaders enrolled in the Register kept up in the Chief Court.

‖ These are enrolled Barristers and Pleaders, who practice in the Chief Court as well as Subordinate Courts.

No. 2.

STATEMENT OF OFFENCES REPORTED, AND OF PERSONS TRIED, CONVICTED AND ACQUITTED, FOR EACH OFFENCE IN THE PUNJAB, IN THE YEAR 1870.

Number.	DESCRIPTION OF OFFENCES.	Number of section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons undertrial during the year	Acquitted or discharged	Convicted or committed.	Died, escaped, transferred	Remaining under trial
	NON-BAILABLE.							
1	Concealing a design to commit a non-bailable offence, ...	118 to 120	3	3	1	2	...	...
2	Abetments of non-bailable offences, ...	109 & 116	135	94	27	67	...	...
3	Giving false evidence, ...	194 to 196	5	16	1	6	...	9
4	Resistance to lawful apprehension and rescue, ...	225	1	5	...	5	...	...
5	Counterfeiting coin, ...	231 to 236	17	29	7	15	...	7
6	Import or export or counterfeit coin, ...	237, 238	2	11	2	9	...	...
7	Passing or possessing bad or altered coin, ...	239 to 243 250 to 254	180	194	65	123	...	6
8	Diminishing or altering coin, ...	246 to 249	3	4	...	1	...	3
9	Murder by thugs, ...		11	21	3	17	1	...
10	Murder by dacoits, ...		3	1	...	1	...	...
11	Murder by robbers, ...	302, 303	23	42	19	23	...	...
12	Murder by poison for sake of robbery, ...	and 396	12	12	4	8	...	...
13	Other murders from motives connected with women, ...		186	196	77	102	2	15
14	Other murders from other motives, ...		204	482	206	249	3	24
15	Attempt to murder, ...	307	65	96	60	35	...	1
16	Culpable homicide, ...	304	174	431	136	269	3	23
17	Abetment of suicide, ...	305, 306	2	5	...	5	...	...
18	Causing miscarriage, ...	313 to 316	8	14	13	1	...	...
19	Grievous hurt by dangerous weapons, ...	326	37	55	24	30	...	1
20	Causing hurt or grievous hurt to extort property or confession, or to constrain a person, ...	327, 329, 331 and 333	4	9	4	4	1	...
21	Administering stupefying drugs, ...	328	85	81	49	27	1	4
22	Assault in attempting theft from person, ...	356	37	38	20	18	...	...
23	Kidnapping or abduction, ...	363 to 365 367 to 369	155	263	165	84	13	1
24	Abducting a woman to compel marriage or for defilement,	366	50	148	103	40	5	...
25	Habitual dealing in slaves, ...	371	8	19	16	...	...	...
26	Selling, letting or unlawfully obtaining a woman for purposes of prostitution, ...	372, 373	16	44	18	26	...	...
27	Rape, ...	376	135	125	80	39	2	4
28	Unnatural offences, ...	377	109	90	58	32	...	...
29	Theft of cattle, ...	379 to 381	6,068	5,282	1,533	3,585	78	86
30	Theft, ordinary, ...		10,884	9,441	2,490	6,829	37	85
31	Theft, after preparation for causing death, or hurt or restraint of cattle, ...	382	31	36	14	21	1	...
32	Do. do ordinary, ...	382	8	6	5	1	...	...
33	Extortion by causing fear of death or grievous hurt or accusation, ...	386 to 389	4	6	3	...	3	...
34	Robbery in a dwelling house, ...	392, 393	126	144	56	83	2	3
35	Robbery on the highway, ...	...	107	111	69	41	...	1
36	Robbery elsewhere, ...	...	66	53	21	32	...	...
37	Robbery with hurt or deadly weapon, by poison or stupefying drugs, ...	394, 397, 398	15	18	6	10	...	2
38	Do do. by other means, ...	394, 397, 398	7	8	6	2	...	...
39	Dacoity, ...	395, 398	31	85	22	48	4	11

Appendix No. 2.—*Continued.*

Number.	DESCRIPTION OF OFFENCES.	Number of section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted or committed.	Died, escaped, transferred.	Remaining under trial.
40	Dacoity with grievous hurt, ...	397	5	10	6	4	...	...
41	Preparation or assembly for dacoity, ...	399, 402	4	17	...	17	...	...
42	Belonging to a gang of dacoits, ...	400	2	5	...	5	...	...
43	Do. do. of thieves, ...	401	6	25	7	18	...	...
44	Criminal breach of trust, ...	406 to 409	253	467	210	242	6	9
45	Dishonestly receiving stolen property, ...	411 to 414	2,521	4,332	1,563	2,555	96	118
46	Serious mischief by fire, ...	436, 438	73	63	32	31	...	...
47	Mischief to a vessel, ...	437, 439	1	3	3	...	...	...
48	House-trespass in order to the committing of theft, ...	451	52	45	15	29	...	1
49	House-trespass having made preparation for causing hurt,	452	9	11	6	5	...	...
50	Lurking house-trespass or house-breaking, ...	453, 456	1,957	464	131	326	2	5
51	Do. do. in order to the committing of theft,	454, 457	7,871	3,802	1,236	2,475	22	69
52	Do. do. an offence other than theft, ...	454, 457	1,974	952	274	640	...	38
53	Lurking house-trespass or house-breaking having made preparation for causing hurt, ...	455, 458	144	20	8	12	...	...
54	Lurking house-trespass or house-breaking with attempt to cause death or grievous hurt, ...	459, 460	19	46	34	11	...	1
55	Forgery or fraudulently using or possessing forged documents, ...	466 to 468, 472 to 477	27	47	24	20	...	3
56	Fraudulent and unlawful marriages, ...	493, 495, 496	17	38	28	8	...	2
57	Attempts, ...	511	253	252	55	196	1	...
	BAILABLE.							
58	Concealing a design to commit a bailable offence, ...	119, 120	5	15	12	3	...	...
59	Abetment of insubordination, ...	138	2	5	2	4	...	...
60	Personating a soldier, ...	140	3	2	2	...	...	...
61	Being a member of, or joining an, unlawful assembly, ...	143 to 145, 151, 158	27	252	110	142	...	...
62	Abetment of an unlawful assembly, ...	150, 157	18	227	52	175	...	...
63	Rioting, ...	147 to 149, 152, 153	463	5,126	1,248	3,738	1	139
64	Omission to prevent, or give information of, a riot, ...	154 to 156	1	2	...	2	...	...
65	Affray, ...	160	423	2,028	567	1,461	...	...
66	Bribery, ...	161 to 165	125	158	92	65	...	1
67	Public servant disobeying a lawful direction with intent to cause injury, ...	166	9	15	8	7	...	...
68	Public servant framing an incorrect document with intent to cause injury, ...	167	9	13	3	9	...	1
69	Public servant unlawfully trading or buying property, ...	168, 169	1	1	...	...	...	1
70	Personating a public servant, ...	170, 171	34	46	3	37	1	5
71	Evading, disobeying or preventing service of summons, ...	172 to 174	216	469	137	328	...	4
72	Omitting to produce a document, ...	175	4	5	...	5	...	...
73	Omitting to give information, ...	176	71	200	43	157	...	...
74	Giving false information, ...	177, 182	352	496	138	354	1	3
75	Refusing oath, answer or signature when duly required,...	178 to 180	24	27	3	24	...	...
76	Making false statement on oath, ...	181	35	43	11	32	...	...
77	Resistance to the lawful taking or selling of property, ...	183, 184	106	234	102	132	...	...
78	Obstructing or omitting to assist a public servant, ...	186, 187	132	275	71	197	...	7
79	Disobedience to lawful order, ...	188	962	679	154	519	1	5
80	Threatening a public servant with injury, ...	189	2	2	1	1	...	...
81	Threatening with injury, ...	190	1	1	1	...	...	...
82	Giving or using false evidence (simple), ...	193, 196	121	245	84	150	...	11

Appendix No. 2.—*Continued.*

Number.	DESCRIPTION OF OFFENCES.	Number of section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted or committed.	Died, escaped, transferred.	Remaining under trial.
83	Fabricating false evidence or using fabricated evidence (simple), ...	193, 196	4	12	9	3	...	...
84	Signing or using a false certificate, ...	197, 198	3	2	1	1	...	...
85	Making or using a false declaration, ...	199, 200	6	8	5	3	...	...
86	Screening an offender by causing disappearance of evidence, &c., ...	201	38	89	29	48	1	14
87	Omitting to give information of an offence, ...	202	31	65	23	42	...	...
88	Giving false information respecting an offence, ...	203	5	7	1	6	...	...
89	Secreting or destroying documentary evidence, ...	204	5	9	6	3	...	...
90	False personation in judicial proceedings, ...	205	40	77	38	39	...	...
91	Fraudulently claiming or removing property to prevent legal seizure, ...	206, 207	12	18	4	13	...	1
92	Fraudulently suffering a decree to pass for a sum not due, or suffering decree to be executed after it has been satisfied, ...	208	4	5	1	4	...	...
93	False claim in a Court of Justice, ...	209	28	41	6	14	...	21
94	Fraudulently obtaining or executing a decree, ...	210	6	10	7	3	...	...
95	False charge of an offence, ...	211	108	166	66	97	...	3
96	Harbouring an offender, ...	212, 216	27	73	34	39	...	...
97	Taking gift to screen an offender, ...	213, 215	70	132	44	77	...	11
98	Public servant fraudulently defeating punishment of forfeiture, ...	217, 218	11	22	4	18	...	...
99	Public servant wilfully making order or decision contrary to law, ...	219, 220	2	2	2	...	...	...
100	Public servant omitting to apprehend or suffering to escape,	221, 222	9	15	...	15	...	...
101	Public servant negligently suffering an escape, ...	223	70	120	22	95	2	1
102	Resistance to lawful apprehension and rescue	224, 225	136	233	53	165	...	15
103	Insulting a public servant during judicial proceedings, ...	228	147	165	10	153	...	2
104	Making, selling or possessing a counterfeit stamp, ...	255, 258, 259	1	1	1	...	...	...
105	Using or preparing for use a stamp known to have been used before, ...	261 to 263	7	11	6	5	...	...
106	Using possessing making or selling false weights or measures,	264 to 267	128	276	76	200	...	...
107	Negligently or malignantly endangering human life, ...	269 to 271, 279, 280, 282, 284 to 289	144	216	55	161	...	...
108	Adulterating or selling adulterated food, ...	272, 273	47	98	33	65	...	...
109	Ditto ditto drugs, ...	274, 275	4	8	2	6	...	...
110	Knowingly selling one drug as another, ...	276	1	1	...	1	...	...
111	Defiling the water of a public reservoir, ...	277	22	39	13	26	...	...
112	Making atmosphere noxious to health, ...	278	24	150	37	113	...	...
113	Obstructing a public way, ...	283	29	80	6	82	...	...
114	Committing a nuisance, ...	290, 291	228	811	204	607	...	...
115	Obscene songs, ...	294	11	29	1	28	...	...
116	Religious insult, ...	295, 297, 298	18	32	20	11	...	1
117	Disturbing religious assembly, ...	296	2	3	3	...	...	...
118	Attempt to commit culpable homicide, ...	308	12	6	5	1	...	...
119	Attempt to commit suicide, ...	309	170	162	75	86	...	1
120	Causing miscarriage (simple), ...	312	22	30	21	9	...	...
121	Exposing and abandoning a child, ...	317	10	11	6	3	...	2
122	Concealment of birth, ...	318	16	19	7	12	...	...
123	Causing hurt, ...	323, 334	4,179	9,415	6,616	2,757	...	42
124	Causing hurt by dangerous weapon, ...	324	104	173	52	118	...	3
125	Do. to extort confession &c., ...	330, 332	11	51	19	32	...	...
126	Grievous hurt, ...	325	378	648	207	420	2	19
127	Grievous hurt on grave and sudden provocation, ...	335	40	59	8	49	...	2

Appendix No. 2.—*Continued.*

Number.	DESCRIPTION OF OFFENCES.	Number of section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year	Acquitted or discharged	Convicted or committed.	Died, escaped, transferred.	Remaining under trial.
128	Doing any act which endangers human safety, ...	336, 337	18	48	8	40	...	...
129	Causing grievous hurt by an act which endangers human safety, ...	338	9	12	...	12	...	...
130	Wrongful restraint, ...	341	254	579	392	178	...	9
131	Wrongful confinement, ...	342 to 346	151	318	218	99	...	1
132	Wrongful confinement to extort property or confession, ...	347, 348	9	23	14	9	...	...
133	Assault or use of criminal force, ...	352 to 355 357, 358	10,873	24,724	18,359	6,229	2	134
134	Buying or disposing of a person as a slave, ...	370	16	38	28	9	1	...
135	Unlawful compulsory labour, ...	374	3	3	1	2	...	...
136	Extortion, ...	384, 385	97	185	146	38	...	1
137	Dishonest misappropriation, ...	403, 404	529	939	336	597	...	6
138	Cheating, ...	417 to 420	445	760	386	366	...	8
139	Fraudulent disposition of property, ...	421, 422, 424	15	28	8	19	...	1
140	Executing a deed containing false statement of consideration,	423	11	16	6	3	...	7
141	Mischief ordinary, ...	426, 427, 430 to 433	1,337	3,409	1,760	1,646	...	3
142	Mischief by poison or killing cattle, ...	428, 429	252	438	322	111	...	5
143	Mischief by destroying land marks,...	434	31	61	32	29	...	...
144	Mischief by fire, ...	435	78	98	88	6	1	3
145	Criminal trespass, ...	447	521	1,224	893	325	...	6
146	House-trespass (simple), ...	448	295	369	172	193	...	4
147	House-trespass in order to commit an offence (other than theft) punishable with imprisonment, ...	451	23	30	3	26	...	1
148	Dishonestly opening a closed receptacle, ...	461, 462	33	6	5	1	...	...
149	Forgery, simple, ...	465, 469, 471	70	168	111	54	...	3
150	Making or using false trade or property mark, ...	482 to 484 486 to 488	5	5	3	2	...	...
151	Removing or destroying a property mark,...	489	1	6	6	...	...	...
152	Criminal breaches of contracts of service, ...	490 to 492	19	64	11	53	...	...
153	Bigamy, ...	494	85	145	127	13	3	2
154	Adultery, ...	497	119	157	121	32	1	3
155	Enticing away a married woman, ...	498	2,389	2,978	2,357	541	8	72
156	Defamation, ...	500 to 502	93	132	88	44	...	...
157	Insult, ...	504, 509	230	367	242	124	...	1
158	Criminal intimidation, ...	506, 507, 508	35	83	35	48	...	...
159	Being drunk and disorderly, ...	510	25	41	14	27	...	...
160	Abetment of bailable offences, ...	109 and 116	15	15	6	9	...	...
161	Attempts, ...	511	1	75	59	16	...	...
	SPECIAL AND LOCAL LAWS AND CRIMINAL PROCEDURE CODE.	C. P. C.						
162	Contempts and disobedience of orders, ...	163	249	295	6	289	...	...
163	Proceedings to compel payment of penalty by accused, ...	219	21	33	4	29	...	...
164	Proceedings to compel payment of penalty by sureties, ...	220, 221	14	25	5	18	...	2
165	Frivolous or vexatious complaints, ...	270	245	502	4	498	...	...
166	Recognizance to keep the peace, ...	280	796	3,370	601	2,760	...	9
167	Security to keep the peace, ...	281	569	1,968	179	1,788	...	1
168	Lurking without ostensible means of subsistence, ...	295	405	620	230	365	10	15
169	Bad livelihood, ...	296, 297	784	1,493	341	1,138	...	14
170	Enforcement of penalty against the principal party, ...	293	13	36	1	35	...	...
171	Proceedings to compel payment of penalty by sureties, ...	305	13	14	...	14	...	...
172	Penalty for non-attendance of assessors, ...	354	3	4	1	3	...	...

Number	DESCRIPTION OF OFFENCES.	Number of offences reported during the year.	Number of persons under trial during the year.	Acquitted or discharged	Convicted or committed.	Died, escaped, transferred,	Remaining under trial.
173	Local nuisances, Chap. XX, ...	55	41	27	14	...	...
174	Maintenance of wives and children, Chap. XXI, ...	1,822	1,801	1,397	397	...	7
175	Disputes relating to possession of land and water, Chap. XXII, ...	95	281	227	54	...	...
176	Breach of the laws relating to Excise on Spirits and Drugs, Acts XXI of 1856 (also XXIII of 1860, XVI of 1863 and XXVIII of 1864,)	245	415	144	270	...	1
177	Breach of the laws relating to Opium, Act XXI of 1856, (also XXIII of 1860, XVI of 1863 and XXVIII of 1864,)	87	177	49	125	...	3
178	Breach of the laws relating to Salt and Saltpetre, Punjab Penal Code, and Acts XXXI of 1861, XIV of 1843, and XXXVI of 1855, ...	257	413	42	367	...	4
179	Breach of the laws relating to Customs, ...	28	43	12	31	...	...
180	Do. do. Stamps, Acts X of 1862 and XXVI of 1867, ...	380	737	157	578	1	1
181	Do. Post Office, XIV of 1866, ...	15	17	3	13	...	1
182	Do. Electric Telegraph, VIII of 1860, ...	1	1	...	1	...	...
183	Do. relating to Jails, ...	50	51	1	50	...	...
184	Do. do. Forests, Act VII of 1865, ...	15	1,838	...	1,838	...	...
185	Do. do. Ferries, ...	7	12	1	9	...	2
186	Do. do. Canals, VII of 1845, ...	426	1,021	312	652	...	57
187	Do. do. Railways, XVIII of 1854, ...	108	118	22	93	...	3
188	Do. Stage Coaches, XVI of 1861, ...	47	61	17	44	...	...
189	Do. Gaming, III of 1867, ...	297	1,250	287	960	...	3
190	Do. Cattle trespass, III of 1857, V of 1860 and XXII of 1861, ...	377	1,342	798	544	...	...
191	Do. Arms, XXXI of 1860 (and VI of 1866), ...	136	165	67	98	...	...
192	Breach of laws relating to Cantonments, Act XXII of 1864, ...	1,500	3,321	157	3,161	...	3
193	Do. City Chowkeedars, XX of 1856, ...	5	12	...	12	...	...
194	Do. Village Watchman, ...	18	26	5	21	...	...
195	Do. Landholders, ...	15	40	7	33	...	...
196	Do. Track Law, Local Rules, ...	18	45	18	27	...	...
197	Do. Nuisances under Section 34, Act V of 1861, ...	558	1,684	259	1,420	...	5
198	Breach of Police Act by Police officers, V of 1861, ...	375	1,073	144	929	...	...
199	Other offences punishable under Act V of 1861, ...	515	1,402	147	1,254	...	1
200	Nuisances under Act XXVI of 1850, ...	379	1,098	155	943	...	...
201	Nuisances under Punjab Municipal Act, XV of 1867, ...	659	1,188	150	1,038	...	...
202	Other offences under Act XV of 1867, ...	27	64	6	58	...	...
203	Purchasing soldiers' necessaries, stores &c., and other offences under the Mutiny Act, VII of 1867, ...	3	5	1	4	...	...
204	Income or Trade Tax, XXI of 1867 and IX of 1868, ...	378	580	50	526	...	4
205	Breaches of contract by artificers and workmen, XIII of 1859, ...	23	22	9	13	...	...
206	Assaults &c., by Europeans, Act VII of 1853, Geo. III, Chapter 155, Section 105, ...	7	7	...	7	...	...
207	Breach of Octroi Rules, ...	22	53	13	38	...	2
208	Do. Registration Act, XX of 1866, ...	4	13	4	8	1	...
209	Do. Mutiny Act, ...	3	6	...	6	...	...
210	Do. Conservancy, ...	3	4	1	3	...	...
211	Do. Land Acquisition Act, X of 1870, ...	1	4	2	2	...	...
212	Regulation 20 of 1817, ...	11	13	2	11	...	...
213	Burglary with aggravating circumstances, Judicial Circular 14 of 1859, ...	...	1	...	1	...	...
214	Offences under the Punjab Penal Code, Section 36, ...	1	1	1	...	...	...
215	Breach of Huzara Rules, ...	3	...	...	...	...	

No. 4.

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY VARIOUS CRIMINAL TRIBUNALS IN THE PUNJAB, IN THE YEAR 1870.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
	PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE			DETAIL OF PUNISHMENT.																					
		TRANSPORTATION.			IMPRISONMENT.				FINE.		WHIPPING.					FINE.								IMPRISONMENT.										WHIPPING.		
CLASS OF TRIBUNAL.	DEATH.	For life.	For a term.	Penal servitude.	Rigorous. With solitary confinement.	Rigorous. Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Surety of the Peace.	Recognizance.	Surveties for Good Behaviour.	Rs. 10 and under.	" 50 "	" 100 "	" 500 "	" 1,000 "	Above Rs. 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	One month. Rigorous.	One month. Simple.	Six months. Rigorous.	Six months. Simple.	Two years. Rigorous.	Two years. Simple.	Seven years. Rigorous.	Seven years. Simple.	Above seven years. Rigorous.	Above seven years. Simple.	Ten stripes and under.	Twenty stripes and under.	Thirty stripes and under.
Unpaid Magistrates, ...	...	...	...	..	100	931	117	..	591	5,181	14	64	...	9	42	4,780	897	83	12	...	...	36,383	26,234	1,567	394	102	566	15	71	...	...	...	...	...	56	15	7
Local and Subordinate paid Magtes.	...	...	...	..	33	6,338	201	..	5,334	21,161	75	107	...	...	...	18,914	7,379	189	13	...	...	2,05,019	1,93,578	8,677	1,889	137	4,417	56	65	8	...	...	...	...	48	87	47
Full power Magistrates exercising jurisdiction throughout the Dist	..	...	...	..	3,209	2,818	38	..	3,778	11,161	224	1,040	1,505	2,102	1,149	8,968	5,206	564	190	10	1	2,66,607	1,32,432	17,609	455	103	2,167	188	3,397	70	8	...	...	...	214	611	539
Chief Magistrates of Districts, ...	...	...	...	..	1,059	517	75	..	1,054	2,178	99	359	283	359	319	1,856	1,111	161	100	3	1	78,127	50,015	3,755	63	28	351	26	1,143	21	19	...	...	...	84	146	219
Total Magistracy, ..	...	...	...	..	4,401	10,604	754	..	10,757	39,681	412	1,561	1,788	2,470	1,503	34,518	14,593	997	315	13	2	5,86,136	4,02,259	31,608	2,801	370	7,501	285	4,676	99	27	...	...	...	402	759	812
Sessions Courts. Deputy Commissioners under Sec. 445 *A. B.* Criminal Procedure Code,	...	...	...	...	448	269	10	...	436	59	24	22	...	...	...	50	255	83	96	7	4	60,739	30,075	3,345	12	8	73	1	205	...	427	1	...	...	5	8	38
Sessions Courts. Commissioners,	130	94	...	..	229	139	2	4	176	44	2	4	...	...	2	...	103	74	39	1	3	34,325	7,568	200	6	...	49	1	83	...	191	1	39	...	...	1	5
Chief Court, ...	...	...	...	...	...	8	2	...	3	2	...	...	...	...	...	1	...	...	4	...	...	1,410	310	300	...	...	...	2	6	...	2	...	...	...	...	...	...
GRAND TOTAL, ...	130	94	...	...	5,078	11,020	768	4	11,372	39,786	438	1,592	1,788	2,470	1,505	34,569	14,951	1,154	454	21	9	6,82,610	4,40,212	35,453	2,819	378	7,623	289	4,970	99	647	2	39	...	407	768	855

IMPERIAL RETURN.

No. 5.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PROVINCE OF THE PUNJAB, DURING THE YEAR 1870.

1		2	3	4	5	6	7	8	9	10	11
TRIBUNALS.		Number of Appellants or persons applying for Revision under Sec. 404 Criminal Procedure Code.	NUMBER OF PERSONS.							Cases referred for Revision to Chief Court.	REMARKS.
			Appeals or Applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Pending.		
Magistrates of Districts.	Appeals from unpaid Magistrates,	..	37	255	49	55	2	7	5	..	
	Appeals from paid Magistrates,	..	405	1,515	429	555	32	120	28	..	
	TOTAL, .	..	442	1,770	478	610	34	127	33	..	
Sessions Courts.	Appeals from unpaid Magistrates,	..	13	33	3	7	..	..	..	..	
	Appeals from paid Magistrates,	..	577	2,127	167	355	11	184	100	..	
	TOTAL, ..	..	590	2,160	170	362	11	184	100	..	
Chief Court.	Appeals, ...	..	168	439	41	92	3	10	112	..	
	Revision, ...	219	..	299	82	194	31	..	215	..	
	TOTAL, ..	219	168	738	123	286	34	10	327	160	
	GRAND TOTAL, ..	219	1,200	4,668	771	1,258	79	321	460	160	

IMPERIAL

No. 11.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS OF THE PROVINCE OF THE PUNJAB, IN THE YEAR 1870.

1	2	3	4	5	6	7	8	9	10
Commissioners' Sessions Courts.	Established or average number of Jury or Assessors in each case, and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	Jury trials. Cases in which Judge approved of the verdict.	Jury trials. Cases in which the Judge did not approve of the verdict.	Assessors trials. Cases in which Judge agreed with Assessors.	Assessors trials. Cases in which Judge differed from Assessors.	Note showing in what class of cases Juries and Assessors have been principally employed.	Remarks.
Dihlí, ...	3	...	29	...	...	24	5	In all Sessions trials.	
Hissár, ...	3	...	22	...	...	20	2		
Ambála, ...	3	...	30	...	...	26	4		
Jálandhar, ...	3	...	48	...	...	46	2		
Amritsar, ...	3	...	26	...	...	23	3		
Lahore, ...	3	...	62	...	...	60	2		
Rawulpindí, ...	3	...	67	...	...	67	...		
Múltán, ...	3	...	59	...	...	57	2		
Dehraját, ...	2	...	19	...	...	19	...		
Pesháwar, ...	2	...	102	...	...	89	13		
Total, ...	3	...	464	...	...	431	33		
Deputy Commissioners' Sessions Courts, by Divisions.									
Dihlí, ...	3	...	54	...	...	47	7	In all Sessions trials.	The Deputy Commissioners report that the list of Assessors is annually revised.
Hissár, ...	3	...	31	...	...	27	4		
Ambála, ...	3	...	16	...	...	16	...		
Jálandhar, ...	3	...	20	...	...	20	...		
Amritsar, ...	3	...	52	...	...	50	2		
Lahore, ...	3	...	60	...	...	58	2		
Rawulpindí, ...	3	...	65	...	...	64	1		
Múltán, ...	3	...	45	...	...	38	7		
Dehraját, ...	3	...	25	...	...	25	..		
Pesháwar, ...	3	...	29	...	...	26	3		
Total, ...	3	...	397	...	...	371	26		
Chief Court, Punjab, ..	12	13	...	13	...	...	...		

Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab in the Judicial Department,—No. 1251, dated Simla, 31st August 1871

READ—

Annual Report on the Administration of Criminal Justice in the Punjab for the year 1870, received from the Registrar of the Chief Court on 7th July 1871.

Of the persons arrested during the year, the number brought to trial forms so high a percentage that the result would be very satisfactory if it could be accepted as correct. The Judges of the Chief Court, however, consider there is reason to fear that the records are imperfect, and that suspected persons sent for and detained pending enquiry are not shown as arrested. The return must thus be received with caution, but the attention of the Inspector-General of Police will be called to the matter, which will receive due consideration. The Hon'ble the Lieutenant-Governor observes that non-bailable crime has diminished largely during the past compared with the previous year. But the average is still very high, and the state of crime cannot yet be considered satisfactory. The excellent harvests of 1871 and the renewed prosperity of the country will, it is hoped, show itself in next year's report by a marked diminution in offences against property.

2. The small proportion of convictions and committals in offences against the person compared with those in offences against property is a remarkable result, which calls for further enquiry, and the subject will be brought to the notice of the Inspector-General of Police.

3. The Pesháwar District, it is observed, still maintains its unfavourable character for the number of murders committed there, but the Lieutenant-Governor is not without hope that the strict enforcement of village responsibility will have a marked effect in diminishing the number of murders in all the districts both of the Pesháwar and Deraját Divisions. A code of rules proposed by the Punjab Government is now under the consideration of the Government of India. In this is included a rule authorizing the imposition of heavy fines on village communities which harbour criminals, suppress evidence, or impede justice. The reorganization of the Police on the whole frontier, which is now being carried out, will also have the effect of improving materially the efficiency of the force and its detective power.

4. The increase of bailable offences (8 per cent.) does not appear of importance, considering the large increase under local and special laws, such as Municipal, Cantonment, Income Tax, &c., which do not indicate an increase of crime. The number of prosecutions under the Stamp Act is a favourable feature, and the explanation of the decrease given in para. 34 of the report is probably correct; but, with reference to the remark in para. 36, it is requested that the attention of the Courts be drawn to the provision made for the recovery and refund of the value of stamps to complainants in case of conviction.

5. The Lieutenant-Governor shares in the opinion of the Judges that the periodical revision of the list of assessors has not been properly attended to in past years. The concurrence in the 370 cases referred to in para. 41 of the report might probably be more correctly stated as that of the assessors with the Deputy Commissioner than of that officer with the assessors, as it is believed that a large number of men are entered on the list who are quite unfit to understand the proceedings in the Courts, to follow the evidence, or to give an intelligent opinion upon it. His Honor is of opinion that, if the list of assessors is carefully framed so as only to contain the names of persons of intelligence, the Courts will receive more assistance from them, and the favorable opinions of the officers referred to in para. 150 will become general. The assessors would come from a class of men who have a tendency to improve, and their value will much depend upon the encouragement given them by the Judges. The Lieutenant-Governor considers that the system of assessors is one which requires great attention on the part of Sessions and District Judges. This system is an important part of the education of the country; it has been fully accepted by the Government, and every effort should be made to improve the class of assessors and the intelligence and independence of their decisions.

6. The work of Honorary Magistrates during the year is satisfactory, and they have sensibly relieved the District Courts. The Lieutenant-Governor is glad to understand that the general feeling is in favour of the Honorary

Courts, and is prepared to extend the native agency wherever it may be proved to be advisible. His Honor desires to receive a report on the Panipat Board of Magistrates, with the Commissioner's reasons for considering it useless. The work done by Jagirdar Magistrates, notwithstanding a slight diminution in the number of cases disposed of compared with the previous year, has continued, as it always has been, satisfactory.

7. His Honor is also glad to understand that the efficiency of the Courts of Canal Officers have somewhat improved; but, looking to past complaints and the irregularities still admitted to exist, he is unable to consider the state of things satisfactory. It appears to him very doubtful whether there is any necessity for the investment of Canal Officers with judicial powers, and whether canal cases should not be left to the Revenue Courts. In any case, such an examination should be passed by Canal and Forest Officers, previous to investment with judicial powers, as will ensure a sufficient knowledge of procedure and of special laws relating to the subjects in question. Forest and Canal Bills are now under the consideration of the Legislature, and, on their becoming law, the subject of departmental examination in these subjects will be taken up, should it be decided that Canal Officers are still to be invested with judicial powers. Officers of the Forest Department are rather in a different position, often being stationed at places distant from any Magistrate; and power of fine for breach of Forest Rules is a power which may often be conveniently entrusted to them. Most offences this year have been decided by District Officers, the reason being that Forest Officers generally have not been invested with powers, several applications having been refused until His Honor could be satisfied that the officers in question were competent to use the powers properly.

8. With reference to the remarks in para. 55 of the report, the returns of offences disposed of by officers in charge of jails cannot be considered reliable; uniform procedure must be adopted in regard to these, as, under the new Act, the offences punishable by the Superintendent of the Jail and the Magistrate are quite distinct, and should be so shown.

9. The Lieutenant-Governor concurs in the remarks in para. 57 in regard to the necessity of information as to the rate cases are decided in the various courts, although Mr. Brandreth may be correct in his opinion of the value to be attached to low averages. The report on pending cases is satisfactory.

10. In para. 60 of the report is shown the percentage of commitments and convictions in bailable and nonbailable offences, which is for the province three per cent. lower than last year, and cannot be considered other than unsatisfactory. The percentage of Gurdaspore, Amritsar and Syálkot is especially so; nor does His Honor see the value of the explanation of the Deputy Commissioner, Amritsar, given in para. 65, that the cause of the low percentage is the reduction of the fee on complaints, as for the two previous years when the higher fee was enforced Amritsar was still at the bottom of the list; nor is there any reason apparent why the percentage of Lahore should be 62 and of Amritsar 34, the conditions of both cities being much the same. Neither is the explanation of the Deputy Commissioners of Gurdaspore and Syálkot at all more satisfactory. The large proportions of acquittals in cases of hurt and assault ought not to account for the low percentage; this cause has, or should have, no greater effect in these districts than in any other in the Province, unless the Courts themselves are to blame, and systematically throw out cases of the kind without a just enquiry into their merits. An important point in connection with this is the matter referred to in para. 70 of the report.

11. In the table of detentions in the Courts of the several districts, given in para. 74, Gujerát shows very unfavorably, and this should be brought to the notice of the local officers. The Lieutenant-Governor, however, is glad to observe that this is a question to which the Judges have given much attention during the past year, and he fully concurs in their remarks contained in para. 76, as also in those of para. 77 on the postponement of cases. The Lieutenant-Governor is of opinion that cases ought to be heard the day they are sent up, provided the accused and witnesses are sent by midday, by which time the Deputy Commissioner ought to know the exact amount of work for distribution, otherwise the Police will send up cases to four o'clock to save their averages.

12. The question of diet money for witnesses is one which must be dealt with when the rules referred to in para. 85 are being framed. The Lieutenant-

Governor, in consideration of the great unwillingness of people to aid public justice, the inconvenience they undergo, and their general poverty, is of opinion that liberal provision should be made for their payment.

13. The remarks in paras. 91-92 about the provision for prisoners condemned to solitary confinement will be communicated to the Inspector-General of Prisons.

14. On the subject of fines, the Lieutenant-Governor, looking at the proportion realized (not more 54 per cent.) and the general poverty of the country, is disposed to agree with the Judges that the average fines imposed are too high. It may not be possible in all cases for a Magistrate to adjudge exactly the amount which a person can fairly be expected to pay, but generally this can be done with moderate success; and excessive fines which ruin a whole family are to be deprecated. There is no subject in which the exercise of good judgment on the part of the Magistrate is more required; and the unsatisfactory results in regard to the six last districts mentioned in the 97th para. of the report show the necessity for impressing this upon District Officers. The two cases referred to in para. 99 appear to show such an utter want of judgment on the part of the Magistrate that His Honor desires the cases may be called for and submitted for his perusal.

15. The practice remarked upon by the Deputy Commissioner of Kohát, to which allusion is made in para. 102, of paying compensation out of fines awarded, deserves encouragement, and the Commissioners of the Pesháwar and Deraját Divisions should be requested to see that attention is paid to it generally unless they see objections.

16. His Honor is glad to observe from para. 111 that the question of simplifying the present form of Calendar is under consideration. It is at present a cumbrous form, and one which the Lieutenant-Governor is disposed to think might be abandoned altogether. It was useful when the Code was first introduced and officers were unacquainted with procedure, but the only purpose it appears to serve now is to lessen the labor of the Sessions Court at the expense of the committing magistrate.

17. On the subject of reconvictions His Honor quite agrees in the views of the Judges, expressed in para. 119, as to the desirability of punishing these cases severely; and the practice in some districts of Deputy Commissioners taking up all such cases appears to the Lieutenant-Governor a good one. He also concurs with the Judges in considering that the average of fines (Rs. 6), inflicted on persons for instituting frivolous and vexatious complaints is too high.

18. The Lieutenant-Governor refuses to admit want of time as a legitimate excuse for failure on the part of superior authorities to supervise the proceedings of subordinate courts. This is one of the most important duties of the Magistrate of the district; and that it is necessary is shown by the fact that in the Deraját, where the plea of want of time to supervise was made, the procedure of one of the subordinate courts has been so irregular as to call for the special notice of the Government.

19. The Court was doubtless correct in its conclusions regarding the practice alluded to in para. 123 of the report; and the notification issued on the recommendation of the Judges directing Native Magistrates to take down evidence in their own handwriting will be an improvement.

20. Para. 127 refers to the question of demanding security for good conduct, and gives the opinions of certain officers as to the treatment of bad characters. The responsibility of landowners and the headmen of a village in regard to such characters might with great advantage be acknowledged more than it is at present, and the proposed rules for the frontier will probably give the power which the Deputy Commissioner of Pesháwar desired. His Honor does not, however, see that the power of taking security for good behaviour is, as stated by the Deputy Commissioner, of little use. It is better to restrain a man for two or three years than not at all, though no doubt when the security is released the restraining power is then at an end; but this applies with greater force to the release from jail of a known bad character; for in the former case a

renewal of the security may, on good grounds for suspecting evil intentions, be renewed, and in the Peshâwar District, moreover, the power of taking security from bad characters is more used than elsewhere.

21. The attention of the Financial Commissioner will be called to the increase in the number of cases of dispute under Chapter XXII.

22. The average duration of appeals (eight days) is satisfactory. The improvement in Amritsar in this respect is deserving of notice. But the average duration of Sessions trials (40 days) is, His Honor observes, much too high. He, however, views with satisfaction the large increase in the percentage of convictions in these cases in the frontier Divisions of the Derajât and Peshâwar. The remarks in regard to fines inflicted in the lower Courts apply equally to those imposed by Sessions Judges. The small amounts realized in Dehli, Jullundhur, and Peshâwar are very unsatisfactory, and His Honor requests that special reports on the subject may be called for from these divisions.

23. The miscellaneous matters referred to in paras. 171, 172 and 173 will receive His Honor's attention ; and, with reference to the remarks in para. 176, the Lieutenant-Governor observes that it would be a great pity to allow the Khoj system to die out. Whatever may be urged against it,—and there are obvious objections,—it is still invaluable in many districts, and Deputy Commissioners should take care that a certain number of professional trackers are maintained and employed. The Government would be quite prepared to sanction rewards to such trackers as distinguished themselves.

Finally, in conveying to the Judges of the Chief Court his acknowledgments for their work during the year, the Lieutenant-Governor desires to express his opinion of the advantage gained by the tour of Mr. Campbell in the frontier districts, where the supervision of the Chief Court was very urgently needed.

Ordered, that copy of the foregoing remarks be forwarded to the Registrar, Chief Court, Punjab, for the information of the Judges, and for annexure to and circulation with the report.

Ordered also, that extract from para. 8 and para. 17 of the report be forwarded to Inspector-General of Police for report.

Paras. 91 and 92 to Inspector-General of Prisons for information;

Para. 130 to Secretary to Financial Commissioner for information;

And paras. 171, 172 and 173 to Secretary, Public Works Department, for the issue of the necessary instructions.

By order of the Hon'ble the Lieutenant-Governor,

LEPEL H. GRIFFIN,

Offg. Secretary to Government, Punjab.

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